

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

126

2026:PHHC:046147



CRM-M-70364-2025 (O&M).

Date of decision: 24.03.2026.

JASWINDER KAUR

...Petitioner(s)

VERSUS

STATE OF PUNJAB

...Respondent(s)

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present :- Mr. P.K.S. Phoolka, Advocate,
for the petitioner.

Mr. Mohit Kapoor, Sr. DAG, Punjab.

VINOD S. BHARDWAJ, J. (Oral)

This is the first petition filed under Section 483 of the Bharatiya
Nagarik Suraksha Sanhita, 2023, for grant of regular bail to the petitioner in
case bearing FIR No.0159 dated 16.10.2024, under Section(s) 103, 109, 3(5)
and 61(2) of the Bharatiya Nyaya Sanhita, 2023, registered at Police Station
Talwandi Sabo, District Bathinda, Punjab.

Status report on behalf of respondent-State has been filed in the
Court today. A copy thereof has been supplied to the counsel for the petitioner.

The aforesaid FIR was registered on the statement of Sukhjivan
Singh son of Kulwant Singh resident of village Kalala, District Bathinda,
which reads thus: -

"I am resident of above said address and doing the work of agriculture and my sister Manjit Kaur solemnized with Sukhpreet Singh son of Dhan Singh, resident of Tharaj, District Sirsa and sister-in-law of my sister namely Sukbir Kaur was earlier married with Jagtar Singh son of Amar Singh, resident of village Jeevan Singh wala last 14 years ago. They are having two sons and sister-in-law of my sister Sukhbir Kaur is having matrimonial dispute arisen between her husband Jagtar Singh for the last 2-3 years and from about 06 months ago sister-in-law of my sister is living in her paternal house in village Tharaj. The younger son of Sukhbir Kaur is living with her and the elder son was living with his father at village Jeevan Singh Wala and the reason for the dispute between them Nirmaljit Kaur wife of Jagtar Singh resident of village Vare, District Mansa had illicit relations with Jagtar Singh and Jagtar Singh had taken Nirmaljit Kaur as his wife and kept her at home, so all of our relatives had gathered and explained it to him a lot and today our relatives had gathered too and I, along with my sister Manjit Kaur, wife Sukhpreet Singh and my brother-in-law Sukhpreet Singh being in army, his uncle Gursewak Singh alias Sewa son of Karnail Singh and second uncle Ran Singh son of Karnail Singh, my brother-in-law Sukhpreet Singh's mother Gurmeet Kaur, along with my sister's sister in law. had came to Jagtar Singh's house in village Jeevan Singh Wala and Sukhbir Kaur and Jagtar Singh were talking to settle their mutual dispute, so the time at around 02:30 03:00 PM in the afternoon that we all knew that we were explaining to Jagtar Singh that you should leave Nirmaljit Kaur's and get settled your house with Sukhbir Kaur, that upon this Jagtar Singh and Nirmaljit Kaur got angry and Nirmaljit Kaur said that this is ours. Who are the ones who separate us from each other and along with them Jagtar Singh's mother Jaswinder Kaur, wife of Amar Singh, started abusing us and said that it has been 6 months they are harassing us and create scene by bringning

the panchyat. Today, we are just giving them a hard time every day. Then Nirmaljit Kaur and Jaswinder Kaur entered the room and took out a 12-bore gun hockey type rifle from inside, which was earlier loaded. Jaswinder Kaur handed the rifle to his son Jagtar Singh and said that finish the dispute then Jagtar Singh after getting 12-bore rifle from mother Jaswinder Kaur and fired directly at his wife Sukhbir Kaur. The pallet hit in her backside. Then he fired another pallet our side. The pallet hit my sister Manjit Kaur and me also. We got injured and fell down. Then all the persons were handling us then in the meantime all these persons ran away from the spot with their respective weapons and then our family after arranging the vehicle got us admitted in the civil hospital Talwandi Sabo, on which I came to know that sister-in-law of sister Sukhbir Kaur was declared dead by the doctors and my sister Manjit Kaur was being taken to higher Institution Bathinda for advanced treatment and pallet was hit on my right ear I am under treatment I had came to the knowledge that from which 12 bore rifle with which Jagtar Singh had fired upon us at that riffle belongs to Amar Singh father of Jagtar Singh That rifle is the license weapon, Amar Singh has died and they have till date concealed the weapon. My sister Sukhbir Kaur's husband Jagtar Singh has kept Nirmaljit Kaur as his second wife at his house whom along with sister Gagandeep Kaur whom her kept with her consent her sister, her husband Ranjit Singh son of Ajaib Singh resident of Gadrana district Sirsa and it was on their request that Jagtar Singh had thrown Sukhbir Kaur out of the house and even today also Gagandeep Kaur and Ranjit Singh had came to village Jeevan Singh Wala and Jagtar Singh was instigation others and it was with the consent of these two that this whole incident happened. The reason for the enmity is that Jagtar Singh had taken Nirmaljit Kaur to his house. Jagtar Singh is illegally keeping his second wife and regarding this matter Jagtar Singh was having a dispute with his earlier wife Sukhbir Kaur and for resolving this dispute we all came to the

village Jeevan Singh Wala. Where Jagtar Singh has opened fire upon us. Thus, Strict legal action taken against Jagtar Singh son of Amar Singh, Jaswinder Kaur wife of Amar Singh, resident of Jeevan Singh Wala, Nirmaljit Kaur wife of Jagtar Singh resident of village Vare, district Mansa, Gagandeep Kaur wife of Ranjit Singh and Ranjit Singh son of Ajaib Singh resident of village Gadrana district Sirsa Haryana Statement given heard correct.”

Learned counsel appearing on behalf of the petitioner contends that allegations against the petitioner are to the effect that she fetched the weapon lying under the ironing table in the bedroom of Jaswant Singh to the bedroom of co-accused Jagtar Singh (her son) and handed it over to Jagtar Singh. He contends that the son of the petitioner namely Jagtar Singh thereafter fired from the said weapon causing injury to the deceased Sukhvir Kaur while injuries were also caused to Sukhjiwan Singh and Manjit Kaur as well. He contends that the petitioner is a woman aged 53 years and has no criminal antecedents. He contends that it is highly improbable that the petitioner would go to the bedroom of her son after fetching the weapon from the ironing table lying in the bedroom of Jaswant Singh. He contends that the petitioner has been nominated as an accused since the matrimonial life of Jagtar Singh was not going well with Sukhvir Kaur (since deceased) and said Jagtar Singh was allegedly living with one Nirmaljit Kaur. It is submitted that the investigation in the case is already complete and that the petitioner is in custody since 17.10.2024 and only 05 witnesses out of total 31 witnesses cited by the prosecution have been examined so far. He contends that the petitioner has already undergone an actual custody of nearly 1½ years. He submits that there is no likelihood of the petitioner tampering with the prosecution

evidence or fleeing from the process of law.

State counsel, on the other hand, does not dispute the facts noticed above but contends that the petitioner had brought the weapon which was used by Jagtar Singh in commission of the offence, hence, her participation in the offence stands established. The criminal antecedents of the petitioner, stage of the trial as well as period of custody undergone by the petitioner are, however, not disputed.

Having heard the counsel for the respective parties and without commenting anything on the merits of the present case, taking into consideration the nature of allegations against the petitioner, the period of custody already undergone by her, the stage of the trial, her age as well as clean antecedents, the present petition is allowed. The petitioner is ordered to be released on bail on her furnishing requisite bail bond/surety bond to the satisfaction of the Trial Court/Duty Magistrate, concerned.

It is made clear that the petitioner shall not extend any threat and shall not influence any prosecution witnesses in any manner directly or indirectly.

The observation made hereinabove shall not be construed as an expression on the merits of the case and the trial Court shall decide the case on the basis of available material.

March 23, 2026.
raj arora

(VINOD S. BHARDWAJ)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No