



**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

Sr.No.228

**CRM-M-417-2026
Decided on : 30.04.2026**

Amanjeet Kaur @ Amanpreet

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MS. JUSTICE RUPINDERJIT CHAHAL

Present : Mr. B.S.Bhalla, Advocate
for the petitioner.

Mr. Rahul Jindal, AAG, Punjab.

RUPINDERJIT CHAHAL, J (ORAL)

1. Prayer in the instant petition filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 is for grant of regular bail to the petitioner in case FIR No.108 dated 09.06.2025, registered under Sections 308(5), 351(2), 61(2), 140(2), 318(4), 111(2), 111(3), 111(4) of BNS, 2023, at Police Station Maqboolpura, Amritsar.

2. Learned counsel for the petitioner contends that the petitioner is innocent and has been falsely implicated in the present case. He further contends that no specific allegations have been levelled against the present petitioner and she has no concern with the said offence. Learned counsel submits that the name of the petitioner has been roped in the present FIR only because of political factionism in the village. He further submits that



Sonu, Sukhchain Singh and Baljeet Singh @ Beeta have already been granted the concession of regular bail by a Coordinate Bench of this Court vide order dated 23.02.2026, passed in CRM-M-68450-2025. He further contends that there is no direct evidence to connect the petitioner with the said offence. No recovery is to be effected from the petitioner. The petitioner is in custody since 09.06.2025 and she has clean antecedents. The investigation in this case is complete, challan stands presented and charges are yet to be framed. He further submits that trial will take a long time to conclude and no useful purpose would be served by keeping the petitioner behind bars. Therefore, it is urged that the petition deserves to be allowed.

3. Learned State counsel has filed the custody certificate which is taken on record. Status report has already been filed. He has vehemently opposed the prayer for grant of bail by submitting that the offence committed by the petitioner is serious in nature. However, he could not controvert the fact that the petitioner is the first time offender as she is not involved in any other case.

4. Having heard learned counsel for the parties at length and after perusing the record of the case, it is evident that the petitioner is in custody for the last more than 10 months and 14 days; she has clean antecedents; co-accused have already been granted the concession of regular bail by a Coordinate Bench of this Court; the investigation in this case is complete; challan stands presented; charges are yet to be framed and the fact that trial may take a long time to conclude, no useful purpose would be served by detaining the petitioner in further custody. Her continued detention without the prospect of the trial being concluded in the near future would be violative of her rights under Article 21 of the Constitution of India.



5. Reliance is placed upon a judgment in the case of ***Dataram Singh vs. State of Uttar Pradesh & Anr. 2018(2) R.C.R. (Criminal) 131***, wherein Hon'ble Apex Court has held that keeping somebody behind the bars, till his guilt is proved, for an indefinite period amounts to infringement of his right to life and liberty, as enshrined under Article 21 of Constitution of India and is against the principle "*bail is a rule*" and "*jail is an exception*".

6. In view of the above, the present petition is allowed and the petitioner is ordered to be released on bail on her furnishing bail bonds/surety bonds to the satisfaction of the learned trial Court/Duty Magistrate/CJM concerned. It is clarified that nothing stated herein shall be construed as an expression of opinion on the merits of the case.

7. All miscellaneous application(s), if any, stands disposed of accordingly.

30.04.2026

mamta

**(RUPINDERJIT CHAHAL)
JUDGE**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No