



CRM-M-73511-2025

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

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CRM-M-73511-2025

Date of Decision: 23.03.2026

JASBIR KAUR

... PETITIONER

VERSUS

STATE OF PUNJAB

... RESPONDENT

CORAM : HON'BLE MR. JUSTICE H.S.GREWAL

Present:- Mr. Yajur Sharma, Advocate and
Mr. Akun Sheemar, Advocate for the petitioner.

Mr. Rishabh Singla, AAG, Punjab.

H.S. Grewal, J.(Oral)

1. This petition has been filed under Section 483 of the BNSS, 2023 for grant of regular bail to the petitioner in FIR No. 10 dated 31.01.2018 under Sections 307, 353, 186, 436, 506, 427, 34 of Indian Penal Code, 1860 registered at Police Station Gharinda, District Amritsar Rural.

2. The prosecution case is that on 31.01.2018, HC Sarwan Singh and HC Satnam Singh went to the house of Kawaljit Singh to execute arrest warrants issued by the Court of CJM, Amritsar in FIR No. 96 of 2016. Upon reaching, they found Kawaljit Singh and his mother, Jasbir Kaur (the petitioner), were standing in the courtyard. On seeing the police officials, Kawaljit Singh raised a *lalkara* and the petitioner allegedly threw kerosene on them while they were sitting on their motorcycle. Thereafter, Kawaljit Singh took a matchbox and lit the fire due to which their motorcycle caught fire and both the assailants ran away from the spot.



3. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in the present case and has not committed any offence. It is further argued that no injury has been caused, which significantly weakens the applicability of Section 307 IPC. He further submits that the co-accused, Kawaljit Singh, has since died and the proceedings against him have abated. The petitioner, a 55-year-old lady, is in custody since 16.09.2025.

4. On the other hand, Id. State counsel has vehemently opposed the prayer for grant of regular bail on the ground that the petitioner has committed the heinous crime and has caused obstruction in performing official duty. He has filed the custody certificate and short reply by way of an affidavit of Yadwinder Singh, PPS, Deputy Superintendent of Police, Sub-Division Attari, Amritsar (Rural) in the Court today and the same are taken on record. He further submits that the petitioner is in custody for the last 06 months and 04 days and is not involved in any other case. It is also submitted that challan has been presented and out of 14 cited prosecution witnesses none has been examined so far.

5. I have heard the submissions made by the parties and gone through the record.

6. After hearing the rival contentions and considering the fact that the petitioner is in custody for the last 06 months and 04 days and is not involved in any other case; out of 14 cited prosecution witnesses none has



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been examined so far and that the trial is likely to take considerable time to conclude, this Court is of the view that no useful purpose would be served by further incarceration of the petitioner. Moreover, it is a settled principle of law that *“bail is the rule and jail is the exception.”* Accordingly, this Court deems it appropriate to grant the concession of regular bail to the petitioner during the pendency of the trial.

7. Therefore, without expressing any opinion on the merits of the case, the instant petition is allowed. The petitioner is ordered to be released on regular bail on her furnishing requisite bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

8. Nothing discussed hereinabove shall be construed as an expression of opinion on the merits of the case.

9. It is clarified that if while on bail so granted through the instant order, the petitioner is found indulged in any other criminal case/activity, it shall be open to the State to seek cancellation of her bail.

23.03.2026

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(H.S.GREWAL)
JUDGE

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