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223 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-34340-2023
Date of Decision: 24.07.2023

Jasbir Kaur

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present : Ms. Isha Goyal, Advocate, and
Mr. R.P.Saini, Advocate,
for the petitioner.

Mr. G.S.Sandhu, DAG, Punjab,
for the respondent-State.

Mr. Ranjodh Singh Sidhu, Advocate,
for the complainant.

RAJBIR SEHRAWAT, J. (ORAL)

1. The present petition has been filed by the petitioner under Section 439 of the Code of Criminal Procedure, 1973, for grant of bail pending trial in case FIR No.198 dated 09.10.2022 registered under Sections 302, 452 and 34 of the Indian Penal Code, 1860, and Sections 25 and 27 of the Arms Act, 1959, at Police Station Sadar Tarn Taran, District Tarn Taran.
2. It is submitted by the learned counsel for the petitioner that the case against the petitioner is totally false and concocted. The petitioner is not involved in the crime as alleged against her. Even as per the story of the prosecution, the petitioner is only alleged to have raised lalkara and no overt actions beyond that is attributed to the petitioner qua committing murder as such. There is no other case against the petitioner. The petitioner is in

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custody since 10.10.2022 and that the petitioner is not required for any investigation purposes.

3. On the other hand, learned counsel for the State, being assisted by Mr. Ranjodh Singh Sidhu, Advocate, for the complainant and being instructed by ASI Charanjit Singh, has submitted that the petitioner is involved in a heinous crime, therefore, she does not deserve the concession of bail pending trial. Otherwise also, there are allegations against the petitioner that she instigated the other co-accused by raising a lalkara. However, it is not disputed that except the allegation of raising lalkara there is no attribution to the petitioner qua actual commission of the murder as such. It is also not disputed that the petitioner is in custody since 10.10.2022 and that there is no other case against the petitioner.

4. In view the above, but without expressing any further opinion on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on bail pending trial subject to her furnishing bail bonds/surety to the satisfaction of the Trial Court/Duty Magistrate, concerned.

(RAJBIR SEHRAWAT)
JUDGE

24.07.2023
adhikari

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No