



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

**CRM-M-53744-2024**

**Date of Decision: January 09, 2025**

**BALJINDER KAUR**

.....Petitioner

Versus

**STATE OF PUNJAB**

.....Respondent

**CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA**

Present: Mr. S.S. Rana, Advocate and  
Mr. Dipanshu Kapur, Advocate for the petitioner.

Mr. Nitesh Sharma, DAG, Punjab.

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**HARKESH MANUJA, J. (ORAL)**

1. By way of this second petition filed under Section 439 CrPC, prayer has been made for grant of regular bail in case FIR No. 0095 dated 12.05.2023 registered under Sections 304, 328 IPC (Sections 201, 34 of IPC and Section 27 NDPS Act, 1985 were added later on) at Police Station City-I, District Sangrur, wherein, the petitioner has been implicated with the allegations of murder of Mandeep Singh Jhuneer i.e. husband of complainant.

2. Learned counsel for the petitioner submits that in the present case, the complainant while appearing as PW-1 did not support the prosecution version and thus, the petitioner who is in custody for the past almost 1 year and 8 months deserves concession of bail as the trial is likely to take some time.

3. On the other hand, the prayer made herein has been opposed at the instance of learned State counsel while submitting that unless the other prosecution witnesses namely Pal Kaur and Davinder Kaur who happened to see the petitioner having administered injection

to the deceased besides she carrying away his dead body are examined, the petitioner does not deserve the concession of bail.

4. I have heard learned counsel for the parties and gone through the paper book. I find substance in the submissions made on behalf of the petitioner.

5. In the present case, investigation stands concluded with the filing of challan followed by framing of charges and the complainant who happened to be wife of the deceased while appearing as PW-1 did not support the prosecution version. The present is not a case of an eye-witness account and the chain of events regarding the circumstances revolving around the incident in question need to be established during trial. Moreover, the petitioner is in custody for the past almost 1 year & 8 months and the trial is likely to take some time. Besides it, the petitioner is not involved in any other case. Considering the aforesaid facts and circumstances, this Court does not find justification to extend her incarceration any further.

6. In view of the above, without commenting anything on the merits, lest it may prejudice the case of either side, the present petition is allowed and the petitioner is ordered to be released on regular bail on her furnishing adequate bail/surety bonds to the satisfaction of the concerned learned trial Court/Duty Magistrate.

7. Nothing expressed hereinabove shall be treated as an expression of opinion on the merits of the case.

**09.01.2025**

Tejwinder

**(HARKESH MANUJA)  
JUDGE**

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>