

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

CRM-M-54342-2024  
Reserved on: 01.08.2025  
Pronounced on: 29.08.2025

Harpreet Kaur ...Petitioner

Versus

State of Punjab ...Respondent

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Sparsh Chibber, Advocate and  
Mr. Suneet Pal Singh, Advocate  
for the petitioner.

Mr. Jasdev Singh Thind, D.A.G., Punjab.

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ANOOP CHITKARA, J.

FIR No.	Dated	Police Station	Sections
128	20.11.2023	Sadar Ahmedgarh, Malerkotla	323, 302, 34 IPC (Challan presented under Sections 304, 323, 325, 34 IPC)

1. The petitioner incarcerated in the FIR captioned above had come up before this Court under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, [BNSS], seeking regular bail.

2. Per paragraph 47 of the bail application, the petitioner has the following criminal antecedents:

Sr. No.	FIR No.	Date	Offenses	Police Station
1.	122	21.08.2019	-	-

3. The facts and allegations are being taken from the translated version of FIR, which reads as follows:

*“Statement of Raghvir Singh son of Mahinder Singh, resident of village Naromajra, police station Sadar Ahmedgarh, District Malerkotla, aged about 70 years Mo: No: 62834-xxxxx, stated that I am a resident of the said address and due to being old I live only at home. I have one son Gurpreet Singh, who has been married to Harpreet Kaur, daughter of Dalip Singh, a resident of village Cheema for about 18 years, who has 2 sons, Gursimran Singh, aged about 17 years, and younger Jaspal Singh, aged about 15 years. I and my wife Joginder Kaur used to live together in one room in the house and my son Gurpreet Singh along with his wife Harpreet Kaur and children live in a separate room in the house. I have 22 bighas of land which due to our domestic conflict, the village panchayat had allotted 14*

*bighas of land to my son Gurpreet Singh and I had 8 bighas of land which I have been giving on lease. My son Gurpreet Singh and my daughter-in-law Harpreet Kaur often harassed me and my wife Joginder Kaur and wanted to grab the 8 bigha land. My wife Joginder Kaur used to be sick and I took care of her. On 16-11-2023 at about 09:00 in the morning I was going out of my house after giving medicine etc. to my wife Joginder Kaur, when in the yard of the house my boy Gurpreet Singh told me that I should take/uplift sand from my agricultural land. So, I told him that my field is already down and we should not take the sand. After hearing this, my boy Gurpreet Singh started saying to me that who are you to stop me. Then Gurpreet Singh grabbed me by the hair and my daughter-in-law Harpreet Kaur hit my head with the wooden stick in her hand, so I moved my hand forward and the stick hit my right hand. I raised Alarm Marta Marta and hearing the noise, my two grandsons, Gursimran Singh and Jaispal Singh sons of Gurpreet Singh came at the spot and started beating me. Meanwhile, my wife Joginder Kaur who is disabled to walk and came out from room to save me while dragging herself, then they all grabbed my wife Joginder Kaur and my daughter-in-law Harpreet Kaur pushed my wife Joginder Kaur and thrown on the floor and when she fell, my son Gurpreet Singh, daughter-in-law Harpreet Kaur and both grandsons Gursimran Singh and Jaispal Singh kicked my wife, stating that today, their daily care is to be stopped and they should not be left alive today. We both husband and wife shouted Marta Marta, then all these people left us in awe and entered their room. As both our husband and wife were suffering from injuries, I arranged for a vehicle and first I and my wife Joginder Kaur went to Civil Hospital Ahmedgarh for treatment where the nurse told us that Doctor Sahib is on leave. So I came to Civil Hospital Malerkotla along with my wife and we both got admitted for treatment. Where on 17.11.2023 ASI Amrik Singh Police Station Sadar Ahmedgarh wrote my statement in the presence of my wife Joginder Kaur. Where today on 20-11-2023 my wife Joginder Kaur has passed away. The death of my wife Joginder Kaur is due to brutal beating by my son Gurpreet Singh daughter-in-law Harpreet Kaur and grandsons Gursimran Singh and Jaispal Singh. Please take appropriate action against them. He wrote a statement in the presence of his brother-in-law's son Sukhdev Singh son of Babu Singh, resident of village Raipur, district Malerkotla, read it, correct, which SI Shamsher Singh had the statement of Raghveer Singh typed letter by letter and printed it out and read it. After hearing the statement and accepting it as true, Raghveer Singh signed in Punjabi under the statement, and Sukhdev Singh signed in Punjabi. Signed in, whose SI Shamsher Singh Police Station Sadar Ahmedgarh verified.”*

4. The petitioner's counsel prays for bail by imposing any stringent conditions and contends that further pre-trial incarceration would cause an irreversible injustice to the petitioner and their family.

5. The petitioner's counsel submits that the petitioner would have no objection whatsoever to any stringent conditions that this Court may impose, including that if the petitioner repeats the offense or commits any non-bailable offense which provides for a sentence of imprisonment for more than seven years, the State may file an application to revoke this bail before the concerned Court having jurisdiction over this FIR, which shall have the authority to cancel this bail, and may do so at their discretion, to which the

petitioner shall have no objection.

6. The State's counsel opposes bail and refers to the status report.

7. It would be appropriate to refer to the following portions of the status report, which read as follows:

*"8. That during further investigation proceedings, statements under Section 175 CrPC were recorded and Form No.25.35(1) was prepared by the Investigating Officer. Thereafter, the Post mortem of the dead body of deceased Joginder Kaur was got conducted through the Doctor of Civil Hospital, Malerkotla vide PMR No. JK/07/2023. After postmortem, dead body was handed over to its heirs vide receipt memo. As per postmortem report doctor has opined that cause of death in my opinion is heart disease which is natural disease and sufficient to cause death on ordinary course of nature. On the basis of such opinion, offence under Section 302 of IPC was reduced and offence under Section 304 of IPC was added in the present case on 12.12.2023.*

#### *14. ROLE OF THE PETITIONER*

*The present FIR was registered against accused Gurpreet Singh, Harpreet Kaur, Gursimran Singh and Jaispal Singh on the basis of statement of Raghveer Singh. Gurpreet Singh is real son of deceased Joginder Kaur, who died due to injuries/beatings given to her by this accused along with his wife Harpreet Kaur (present petitioner) and sons. There are clear cut allegation against the petitioner that wife of the complainant and the complainant were badly injured by the petitioner/accused and her associates. The offence attributed to accused and her co-accused are very serious in nature. Due to these injuries, wife of the complainant remained admitted in Civil Hospital, Malerkotla and she died during treatment. As per opinion, injury No.2 near the chin of deceased Joginder Kaur as grievous in nature and injury no. 3 on the ankle of left leg of Raghvir Singh was also declared as grievous in nature. So, a specific role is attributed to the petitioner in the commission of present offence."*

8. Per paragraph 8 of the status report, the cause of death is ordinary course of nature and per opinion of doctor, cause of death is heart disease.

9. There is sufficient prima facie evidence connecting the petitioner with the alleged crime. However, pre-trial incarceration should not be a replica of post-conviction sentencing. Per paragraph 2 of the bail petition, the petitioner has been in custody since 12.12.2023. Per the custody certificate dated 31.07.2025, the petitioner's total custody in this FIR is 01 year, 07 months and 18 days. Given the penal provisions invoked viz-a-viz pre-trial custody, coupled with the prima facie analysis of the nature of allegations, petitioner is a woman and the other factors peculiar to this case, there would be no justifiability for further pre-trial incarceration at this stage.

10. Without commenting on the case's merits, in the facts and circumstances peculiar to this case, and for the reasons mentioned above, the petitioner makes a case for bail. This order shall come into force from the time it is uploaded on this Court's official webpage.

11. Given above, provided the petitioner is not required in any other case, the petitioner shall be released on bail in the FIR captioned above subject to furnishing bonds to the satisfaction of the concerned Court and due to unavailability before any nearest Ilaqa Magistrate/duty Magistrate. Before accepting the surety, the concerned Court must be satisfied that if the accused fails to appear, such surety can produce the accused.

12. While furnishing a personal bond, the petitioner shall mention the following personal identification details:

1.	AADHAR number	
2.	Passport number (If available) and when the attesting officer/court considers it appropriate or considers the accused a flight risk.	
3.	Mobile number (If available)	
4.	E-Mail id (If available)	

13. This order is subject to the petitioner's complying with the following terms.

14. The petitioner shall abide by all statutory bond conditions and appear before the concerned Court(s) on all dates. The petitioner shall not tamper with the evidence, influence, browbeat, pressurize, induce, threaten, or promise, directly or indirectly, any witnesses, Police officials, or any other person acquainted with the facts and circumstances of the case, or dissuade them from disclosing such facts to the Police or the Court.

15. The significant consideration for granting bail is that the Court aims to give the petitioner another chance to course-correct, reform, and reintegrate into the community as an ideal citizen. To ensure that the petitioner also abides by the assurance made on the petitioner's behalf by not repeating the offence or indulging in any crime, it shall be desirable to impose the following additional condition.

**16. This bail is conditional, with the foundational condition being that if the petitioner repeats the offense or commits any non-bailable offense which provides for a sentence of imprisonment for more than seven years, the State shall file an application to revoke this bail before the concerned Court having jurisdiction over this FIR, which shall have the authority to cancel this bail, and as per their discretion, they may cancel this bail.**

17. Any observation made hereinabove is neither an expression of opinion on the case's merits nor shall the trial Court advert to these comments.

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18. A certified copy of this order would not be needed for furnishing bonds, and any Advocate for the Petitioner can download this order along with case status from the official web page of this Court and attest it to be a true copy. If the attesting officer wants to verify its authenticity, such an officer can also verify its authenticity and may download and use the downloaded copy for attesting bonds.

19. **Petition allowed** in terms mentioned above. All pending applications, if any, stand disposed of.

(ANOOP CHITKARA)  
JUDGE

29.08.2025  
Jyoti Sharma

Whether speaking/reasoned: Yes  
Whether reportable: No.