

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

**Crl. Misc. No. M-11995 of 2015(O&M)
Date of decision : 02.07.2015**

Pooja

..... Petitioner

versus

State of Punjab and another

... Respondents

CORAM:- HON'BLE MRS. JUSTICE ANITA CHAUDHRY

**Present: Ms. Upasana Dhawan, Advocate
for the petitioner**

Mr. Deep Singh, AAG Punjab

**Mr. G.B.S. Dhillon, Advocate
for the complainant**

ANITA CHAUDHRY, J. (ORAL)

The petitioner is seeking regular bail in FIR No. 123 dated 05.05.2014 registered at Police Station Jodhewal, District Ludhiana under Sections 302/506/34 IPC.

Learned counsel for the petitioner contends that the complainant and the brother have been examined and one witness has given up and only two official witnesses remain to be examined. It was urged that injury attributed to the petitioner was not fatal injury and the petitioner was in custody for the last one year. He further contends that petitioner has two minor children and there is no one to look after them.

Learned State counsel submits that petitioner has also caused injury to the deceased on the private parts and the incident arose when the deceased had parked his car in a street which infuriated the accused and they attacked him with Khurchna. The

postmortem report shows that the fatal blow was caused on the head. The main injury is attributed to Sarwan Kumar.

Without commenting on the merits of the case and considering the fact that petitioner is a lady with two minor children and she is in custody for the last one year and the law makes a special provision for women, therefore, the petition is allowed and the petitioner is ordered to be released on bail on her furnishing adequate bonds to the satisfaction of the trial Court.

July 02, 2015

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**(ANITA CHAUDHRY)
JUDGE**