

**HIGH COURT FOR THE STATES OF PUNJAB & HARYANA AT
CHANDIGARH**

**CRM-M-24301-2015
Date of decision: 24.9.2015**

Komal

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

1. To be referred to the Reporters or not ?
2. Whether the judgment should be reported in the Digest ?

Present: Mr.B.S.Bhalla, Advocate for the petitioner.
Mr. K.D.Sachdeva, Addl. A.G., Punjab.

RAMESHWAR SINGH MALIK, J. (Oral)

Petitioner seeks bail pending trial in FIR No.16 dated 22.1.2015 registered under Sections 302, 148 and 149 of the Indian Penal Code at Police Station Sadar, Amritsar.

Learned counsel for the petitioner submits that even as per the FIR, only lalkara has been attributed to the petitioner. She had no other role to play. The deceased himself came in front of the house of the petitioner and had a scuffle with other co-accused of the petitioner. He further submits that since the trial is yet to commence, conclusion thereof will take long time. He prays for allowing the present petition.

On the other hand, learned counsel for the State, on instructions from ASI Balwinder Singh, Police Station Sadar, Amritsar, submits that it was the petitioner who instigated her other co-accused to open the attack on the deceased. That is how, she actively participated in the commission of offence. He prays for dismissal of the present petition.

Having heard the learned counsel for the parties and after careful perusal of the record of the case, this Court is of the considered opinion that keeping in view the peculiar facts and circumstances of the case, petitioner has been found entitled for bail pending trial. It is so said, because except attributing lalkara, petitioner had no other role to play. Further, it has also not been explained as to why the deceased came in front of the house of the petitioner. Learned counsel for the petitioner has also been found justified in contending that since trial is yet to commence, conclusion thereof will take long time.

In view of the above and without commenting anything further on merits at this stage, lest it should prejudice the rights of either of the parties, the instant petition is allowed. Petitioner is directed to be released on bail pending trial on her furnishing adequate bail bonds/surety bonds to the satisfaction of learned trial Court.

Disposed of, accordingly.

24.9.2015
mks

(RAMESHWAR SINGH MALIK)
JUDGE