

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

204

**Criminal Misc. No.M-29956 of 2015
Date of decision: November 06, 2015**

Kulwant KaurPetitioner

versus

State of Punjab ...Respondent

CORAM: HON'BLE MRS. JUSTICE DAYA CHAUDHARY

1. Whether Reporters of local papers may be allowed to see the judgment? Yes/No
2. To be referred to the Reporters or not? Yes/No
3. Whether the judgment should be reported in the Digest? Yes/No

Present: Mr. P.B.S. Goraya, Advocate for the petitioner.

Mrs. Ritu Punj, Addl. A.G., Punjab.

DAYA CHAUDHARY, J. (Oral)

The present petition has been filed under Section 439 Cr.P.C. for grant of regular bail to petitioner, namely, Kulwant Kaur in case FIR No.148 dated 28.06.2014 registered under Sections 302, 307, 323, 324, 452, 201, 148, 149 of the Indian Penal Code and Sections 25, 27, 54, 59 of the Arms Act at Police Station Sadar, Tarn Taran, District Tarn Taran during the pendency of the trial.

Learned counsel for the petitioner submits that as per allegations levelled in the FIR, the petitioner has been shown to be empty handed and no injury has been attributed to her. Learned

counsel further submits that the petitioner was shown to have raised *lalkara* and there is unexplained delay in lodging of the FIR. All family members of the petitioner have been implicated in the case including husband and two sons are behind the bars. The petitioner is in custody for the last more than one year and nothing is to be recovered from her. The trial will take long time to conclude as only challan has been presented.

Learned State counsel has not disputed the role of the petitioner and custody period but opposes grant of bail to the petitioner.

In view of the submissions made by learned counsel for the petitioner and also the fact that only *lalkara* has been raised by the petitioner and no injury has been attributed to her; the petitioner is in custody for the last more than one year and no other criminal case is pending against her; challan has been presented and trial may take long time to conclude; no useful purpose would be served by keeping her behind the bars any further, the present petition is allowed and petitioner, namely, Kulwant Kaur is directed to be released on regular bail on her furnishing bail/surety bonds to the satisfaction of the trial Court.

November 06, 2015

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**(DAYA CHAUDHARY)
JUDGE**