

In the High Court of Punjab and Haryana at Chandigarh

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Criminal Misc. No.M-26938 of 2016

.....

Date of decision:30.8.2016

Simarjit Kaur alias Simerjeet Kaur

.....Petitioner

v.

State of Punjab

.....Respondent

....

Present: Mr. G.B.S. Dhillon, Advocate for the petitioner.

Ms. Shivali, Assistant Advocate General, Punjab for the
respondent-State.

Mr. Iqbal S. Mann, Advocate for the complainant.

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Inderjit Singh, J.

The petitioner has filed this petition under Section 438 Cr.P.C.
for grant of anticipatory bail in case FIR No.101 dated 30.8.2015 registered
for the offences under Sections 302, 307 and 34 IPC and Sections 25 and 27
of the Arms Act at Police Station Sadar Sri Muktsar Sahib, District Sri
Muktsar Sahib.

Notice of motion has been issued in this case.

Ms. Shivali, learned Assistant Advocate General, Punjab has
put in appearance on behalf of the respondent-State and Mr. Iqbal S. Mann,
Advocate has appeared for the complainant and contested this petition.

I have heard learned counsel for the petitioner as well as
learned Assistant Advocate General, Punjab appearing for the respondent-

State and learned counsel for the complainant and have gone through the record.

From the record, I find that the FIR in the present case has been registered on the statement of Gurinder Singh alias Koki Bawa. As per the allegations, Bhanwarpal Singh son of Navdeep Singh alias Neepa fired on Amritpal Singh (since deceased) from his pistol. There is also allegation that the present petitioner raised 'Lalkara' as she is the mother of Bhanwarpal Singh. During investigation, the present petitioner was found innocent and challan has been presented by showing her in column No.2. Now she has been summoned under Section 319 Cr.P.C. The petitioner is not required for investigation or interrogation purposes. She is only to face the trial. During investigation she was found innocent and further more, nothing is to be recovered from her. Only 'Lalkara' has been attributed to her.

Keeping in view the facts and circumstances of this case, I find merit in this petition and the same is allowed. It is ordered that if Simarjit Kaur alias Simerjeet Kaur appears before the trial Court within 10 days, then the trial Court will release her on bail subject to its satisfaction.

August 30, 2016.

(Inderjit Singh)
Judge

hsp

NOTE:	Whether speaking/reasoned:	Yes
	Whether reportable:	No