

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

CRM No. M-28993 of 2016

Date of decision:- August 31, 2016

Jaswinder Kaur @ Binder

.....Petitioner..

Vs.

State of Punjab

....Respondent..

CORAM:- HON'BLE MR. JUSTICE JASPAL SINGH

Present:- Mr. Prashant Vashisth, Advocate,
for the petitioner.

Mr. P.S. Paul, DAG, Punjab assisted by
HC Narinder Singh.

JASPAL SINGH, J. (Oral)

Instant petition has been preferred under Section 439 of the Code of Criminal Procedure, by Jaswinder Kaur @ Binder-petitioner, seeking regular bail, in case FIR No.61, dated 28.05.2016, under Sections 308, 323, 452, 148 and 149 IPC, Police Station Bhogpur, Jalandhar.

2. The only allegation against the petitioner is that she while armed with SOTA accompanied by some other persons, instigated her co-accused to bring Amarjeet outside and it was subsequent thereto, her co-accused caused injuries to said Amarjeet. An injury, which falls within the ambit of Section 308 IPC, is attributed to non-applicant. The petitioner was arrested in this case on 30.05.2016. During her custodial interrogation, the alleged weapon i.e. SOTA has already been recovered. After the

completion of investigation, report under Section 173 (2) Cr.P.C. has already been presented in the court of Id. Jurisdictional Magistrate. Certainly, the disposal of the trial would take sufficient long time.

3. Considering all these aspect of the case, no useful purpose would be served by keeping the petitioner behind the bars for an indefinite period.

4. Taking into consideration all the aforesaid aspects of this case but without expressing any opinion on the merits of the case, petition is allowed and petitioner is ordered to be released on bail, during pendency of trial, at the satisfaction of trial court/Duty Magistrate.

August 31, 2016
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(JASPAL SINGH)
JUDGE

Whether speaking/reasoned: Yes/No

Whether reasonable: Yes/No