

CRM-M-18121-2017

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

CRM-M-18121-2017

Date of Decision:26.07.2017

Bachan Kaur

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

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

Mr. Gaurav Garg Dhuriwala, Sr. DAG, Punjab.

Mr. Amrik Singh, Advocate,
for the complainant.

INDERJIT SINGH, J.

Petitioner-Bachan Kaur has filed this petition under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail in case FIR No.121 dated 28.08.2016, registered at Police Station Machhiwara, Ludhiana City, under Sections 302, 323, 324, 148 and 149 of the Indian Penal Code.

Notice of motion was issued. Learned State counsel has appeared on behalf of respondent-State and complainant has also appeared through his counsel. They contested this petition.

I have heard learned counsel for the parties as well as learned State counsel and gone through the record.

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From the record, I find that as per the allegations, the present petitioner was present at the time of occurrence and she was stated to be armed with baseball bat. She gave baseball bat on the forehead of Surinder Kaur and the said injury is simple one. Moreover, co-accused in the similar circumstances to whom injury on the person of Surinder Kaur was attributed, has already been released on bail vide order dated 20.04.2017, passed by this Court, in CRM-M-11689-2017.

The petitioner is a lady and has not caused any injury to the deceased. She has been in custody since 28.08.2016. She is now not required for any investigation or interrogation purposes as she is in judicial custody. The trial of the case will take long time. No useful purpose will be served by keeping her in custody till the final disposal of the case.

Keeping in view the facts and circumstances of the present case; without discussing the facts in minute detail and without expressing any opinion on the merits of the case, this criminal miscellaneous petition is allowed and the petitioner is ordered to be released on bail subject to her furnishing personal bonds in the sum of ₹50,000/- with one surety in the like amount to the satisfaction of the trial Court/Duty Magistrate.

26.07.2017
parveen kumar

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned	:	Yes
Whether reportable	:	No