

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

**CRM-M-25821 of 2017  
Date of Decision : 16.8.2017**

Gurwinder Kaur

.....Petitioner

Versus

State of Haryana

.....Respondent

**CORAM:- HON'BLE MR. JUSTICE H.S. MADAAN**

**Present:** Mr.Parminder Singh - 1, Advocate  
for the petitioner.

Mr.Gaurav Bansal, AAG, Haryana.

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**H.S.MADAAN, J. (ORAL)**

The instant petition under Section 438 Cr.P.C. for pre-arrest bail has been filed by petitioner - Gurwinder Kaur, an accused in FIR No.157 dated 11.6.2017 for offence under Sections 323, 307 read with Section 34 IPC and Section 25/27 of the Arms Act, registered with Police Station Kalawali, District Sirsa.

Briefly stated, the facts of the case as per prosecution version are that on 10.6.2017 at about 6:00 p.m. when complainant Chamkaur Singh, a labourer by avocation along with his cousin brother Labi Singh was present in the street in front of his house, then in the meanwhile, Jagraj alias Gazi came there and started abusing him. He had slapped Labi Singh. In the meantime, Aruda Singh another cousin brother of

complainant arrived there. After some time, Gurwinder Kaur wife of Jagraj Singh alias Gaji, who is present petitioner arrived at the spot and gave a blow of stick on the head of Aruda Singh. They raised alarm, then Gazi alias Jagraj Singh fled towards his house and brought a gun from his house and stood on the gate of his house. He had fired a gun shot towards the complainant with the intention to kill the complainant. The complainant tried to escape, however, the gun shot struck him in front of left elbow. The injured was removed to the hospital where he was treated and medico legally examined.

Apprehending his arrest in this case, Gurwinder Kaur accused had approached the Court of Sessions seeking grant of pre-arrest bail but her such application was dismissed by the Court learned Additional Sessions Judge, Sirsa vide order dated 20.6.2017. As such she has approached this Court asking for similar relief.

I have heard learned counsel for the petitioner and learned State counsel besides going through the record.

Learned counsel for the petitioner states that the petitioner is a married woman having three children and that the blow attributed to her had resulted in a simple injury. She has already joined the investigation as per order of this Court and has cooperated therein. Therefore, she be granted pre-arrest bail.

The request is opposed by learned State counsel submitting that the petitioner is involved in two other criminal cases, one under NDPS Act and another under Section 307 IPC, as such she be not granted the relief of pre-arrest bail.

However, responding to that learned counsel for the petitioner contends that she is on bail in both the abovesaid cases. There is nothing on file to show the details of such cases.

Keeping in view all the facts and circumstances of the case, I find that it is a fit case to grant pre-arrest bail to the petitioner. Therefore, the interim bail granted to the petitioner on 20.7.2017 is made absolute, subject to her fulfilling conditions under Section 438(2) Cr.P.C.

The petition stands allowed accordingly.

**16.8.2017**

**Brij**

**(H.S. MADAAN)  
JUDGE**

**Whether reasoned/speaking : Yes/No**

**Whether reportable : Yes/No**