

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

**CRM-M No.28709 of 2011
Date of Decision : 30.08.2017**

Preeto Bai

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM : HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present : Mr. Parvesh Sachdeva, Advocate
for the petitioner.

Mr. A.S. Sandhu, Addl. Advocate General, Punjab
for the respondent-State.

SUDIP AHLUWALIA, J. (ORAL)

The instant petition has been filed under Section 439 of the Code of Criminal Procedure (for short, 'the Cr.P.C.') seeking regular bail in case FIR No.33 dated 26th April, 2016, registered under Sections 302, 148, 149 of the Indian Penal Code, (for short, 'the IPC') at Police Station Arniwala, District Fazilka.

The petitioner, who is a woman, presently aged 88 years as seen from her Aadhaar Card (Annexure P-1) issued over three years before the date of alleged occurrence, has remained in detention in this case since 5th of May, 2016. She is one of the challaned accused persons and facing trial for the offences punishable under Sections 302, 148, 149 of the IPC.

Husband of complainant Manjeet Kaur, was allegedly lynched by several accused persons after having been attacked on the

street with weapons by accused persons, namely, Pala Singh, Kala Singh, Pritam Singh, Gurcharan Singh and Malkhan Singh, and was then forcibly taken inside their house. The victim is further alleged to have been subjected to more violence with blunt as well as sharp edged weapons inside the house. The allegation against the present petitioner is that she was already inside the house along with two other ladies, namely, Nanko Bai and Rajjo Bai, when the victim was forcibly dragged there. There are allegations of the ladies also having assaulted the victim, although there is no mention of any blunt or sharp weapons having been used by any of them.

It transpires that by now only two witnesses from the prosecution side have been examined and eighteen more still remain to give their evidence. Obviously, the trial in such case would take a substantially long time. As such considering the extreme old age of the petitioner, the fact that she is a woman and the intangible/sketchy involvement imputed to her in occurrence, she may be released on bail on appropriate terms and conditions to the satisfaction of the Ld. Trial Court, concerned.

Disposed off.

August 30, 2017

Dpr

**(SUDIP AHLUWALIA)
JUDGE**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No