

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

**CRM-M-30246 of 2016
Date of Decision: April 20, 2017**

Sukhwinder Singh @ Soni and others

...Petitioners

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present: Mr. Prateek Pandit, Advocate
for the petitioners.

Mr. C.S. Brar, DAG, Punjab.

FATEH DEEP SINGH, J.

In the light of explanation received through learned District and Sessions Judge, Kapurthala that an administrative action has been initiated against the concerned official no further action has been necessitated for in this matter for this gross negligence of the concerned official.

The allegations against the petitioners No.2 and 3 Gurmit Kaur and Kamaljit Kaur w/o Ninder Singh in this anticipatory bail application under Section 438 Cr.P.C are that they along with their co-accused had been threatening the complainant side to withdraw the case earlier got registered bearing FIR No.28 dated 15.03.2014 under Sections 307,326 IPC against the accused side. It was subsequently thereto on

7.7.2015 it is alleged that Ranjit Singh @ Rana, Sukhwinder Singh @ Soni and Gurjit Singh @ Lambar along with six unknown persons assaulted the complainant side while armed with deadly sharp edged weapons leading to death of Mangat Ram, father of the complainant.

The contentions of the learned counsel for the petitioners that allegations of alleged meting out of threats by the petitioner's side are highly vague and not immediate in point of time qua the present petitioners and that no role is specifically attributed to these petitioners.

The bail application is sought to be vehemently opposed by learned State counsel on the grounds that murder has taken place and there are allegations of intimidation by the petitioners.

Appreciating the submissions, in the light of contentions of the learned counsel for the petitioners that neither any specific role in meting out threats by the petitioner with particulars finds mentioned by the complainant nor in any point of time they have been specifically shown to have given threats to the complainant side and that they have not been named at the time of occurrence nor any role is attributed to them in the circumstances leading to the murder of the deceased. In the light of the same and since nothing is to be recovered from the petitioners and being ladies and that apparently the parties are at loggerhead over a dispute of piece of land and that culpability if any shall be determined at the time of trial and it would be travesty of justice to send the petitioners behind the bars, the application stands allowed. In the event of arrest of the petitioners Gurmit Kaur and Kamaljit Kaur w/o Ninder

Singh, they be admitted to bail to the satisfaction of the arresting officer/Investigating Officer and that they shall abide by the conditions as envisaged under Section 438(2) Cr.P.C.

(FATEH DEEP SINGH)
JUDGE

April 20, 2017
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Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No