

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

Crl. Misc. No. M-35397 of 2017

Date of Decision : September 27,2017

Jasvir Kaur @ Jasbir KaurPetitioner

Versus

State of Punjab Respondent

CORAM : HON'BLE MRS. JUSTICE LISA GILL

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Present: Mr. Mahir Sood, Advocate
for the petitioner.

Mr. Davinder Bir Singh, DAG, Punjab.

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LISA GILL, J. (Oral)

The petitioner, who is the mother-in-law of the complainant, seeks the concession of bail pending trial in FIR No. 0192 dated 07.07.2017 under Sections 326/323/324/354/511/447/148/149/120-B IPC registered at Police Station Sultanpur Lodhi, District Kapurthala.

Learned counsel for the petitioner submits that due to an inadvertent mistake in the Memo of Parties Jasvir Kaur @ Jasbir Kaur is not mentioned to be 'wife of' late Sukha Singh.

On oral request of learned counsel for the petitioner the words 'wife of' are added in the Memo of Parties. Registry to carry out necessary correction in the Memo of Parties before issuing copy of order in this case.

It is submitted that after the death of the petitioner's son in the year 2014, litigation between the parties started. Civil suit filed by the

petitioner and others is pending. The petitioner was in fact afforded interim relief by this Court on 02.08.2017 in CRM-M-28068 of 2017 (Annexure P4) but due to an inadvertent mistake Section 326 IPC was not mentioned in the petition therefore the petitioner was arrested on 08.08.2017 when she went to join investigation. It is argued that the petitioner has been falsely implicated in this FIR for extraneous considerations. No injury has been attributed to her. Therefore this petition be allowed.

Learned counsel for the State is unable to deny that civil litigation between the parties is indeed pending. It is verified, on instructions, from ASI Puran Chand, Police Station Sultanpur Lodhi, that the petitioner is not involved in any other criminal case. There are no allegations that petitioner is likely to abscond or that she is likely to dissuade the witnesses from deposing true facts in the Court, if released on bail. No useful purpose shall be served by keeping the petitioner incarcerated any longer.

Keeping in view the facts and circumstances noted above but without expressing any opinion on the merits of case, it is considered just and expedient to allow this petition. Consequently, the petitioner be released on bail pending trial subject to her furnishing requisite bail bonds and surety bonds to the satisfaction of the learned trial Court.

None of the observations made here-in-above shall be construed to be a reflection on merits of the case and shall have no bearing on trial.

27.09.2017
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(LISA GILL)
JUDGE

Note: Whether speaking/reasoned
Whether Reportable:

Yes / No
Yes / No

