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

CRM-M-37707 of 2017

Date of decision: October 13, 2017

Parminder Kaur

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE A.B. CHAUDHARI

Present: Mr. K.S. Kahlon, Advocate for the petitioner.

Mr. Dhruv Dayal, Sr. DAG Punjab.

Mr. G.S. Simble, Advocate for the complainant.

A.B. CHAUDHARI, J (Oral)

Heard learned counsel for the rival parties.

Petitioner seeks grant of regular bail in FIR No.27 dated 04.06.2017, under Sections 307, 324, 323, 326, 506, 148, 149 of Indian Penal Code, 1860 read with Sections 25, 27, 54, 59 of Arms Act, 1959, registered at Police Station Kotli Surat Malhi, District Gurdaspur.

Admittedly, challan has been filed.

Learned counsel for the complainant submits that the regular bail of the other accused is fixed on 25.10.2017 and therefore, this petition should also be fixed for that date. In ordinary course, this Court would have accepted the submission, however, I find that the allegation against the petitioner is that she had pulled the hairs of the victim-Dalbir Singh and brought him on the ground. Beyond that there

is no attribution to her. Looking to the age of the petitioner and the fact that the petitioner is a woman and benefit under Section 437 of the Code of Criminal Procedure, 1973 is required to be given to her as there is no point in keeping the petitioner behind bar.

In that view of the matter, this petition is allowed. Petitioner shall be released on bail subject to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate concerned. Petitioner shall file undertaking before the trial Court that she will not indulge in similar or any other kind of offence in future. Petitioner shall deposit her passport with the trial Court. Petitioner shall not tamper, influence and threaten the prosecution witnesses and complainant as well.

(A.B. CHAUDHARI)
JUDGE

October 13, 2017

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Whether speaking/ reasoned: Yes/No

Whether Reportable: Yes/No