

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

209

CRM-M-26951-2018

Date of Decision:05.07.2018

Sukhpreet Kaur @ Anju

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR.JUSTICE HARI PAL VERMA.

Present: Mr. Peeush Gagneja, Advocate,
for the petitioner.

Mr. Surinder Pal Singh Tinna, Addl. A.G., Punjab.

HARI PAL VERMA, J.(Oral)

Prayer in this petition filed under Section 439 Cr.P.C. is for grant of regular bail to the petitioner in case FIR No.0059 dated 12.06.2017 under Sections 307, 323 IPC (the offence under Sections 506, 120-B IPC were added later on), registered at Police Station Bahawala, District Fazilka.

Learned counsel for the petitioner states that the petitioner is in custody since 09.05.2018 and as per FIR, no role has been attributed to her. He refers to the statement of Manoj Kumar-complainant, wherein he has stated that on 12.06.2017 at about 3.00 AM, he heard the cries of Gagandeep Singh @ Gaggu, who was sleeping in a cot lying adjoining his cot and had noticed that an unknown person, whose face was covered with a cloth, having an Axe (kulhari) in his hand, was giving continuous blows on the person of Gagandeep Singh @ Gaggu with an intention to kill him.

However, when the complainant tried to save Gagandeep Singh @ Gaggu,

the unknown person gave a blow with his Axe (kulhari) upon the complainant as well. The Axe (kulhari) blow hit the complainant in the right side of his head from the backside. He also states that as per the complainant, there is only one accused who has given injury to Gagandeep Singh @ Gaggu as well as to Manoj Kumar. The petitioner is a lady and she has not been named either by Gagandeep Singh @ Gaggu or Manoj Kumar, who were injured in the case.

Learned State Counsel on instructions from HC Kuldeep Singh states that though the petitioner has not been named by Manoj Kumar-complainant or Gagandeep Singh @ Gaggu, injured, but she has been named by one witness Iqbal Singh, who is cousin of Gagandeep Singh @ Gaggu.

I have heard counsel for the parties. In the FIR, there is a reference of only one accused. In the incident, injured are complainant-Manoj Kumar and Gagandeep Singh @ Gaggu. Neither complainant-Manoj Kumar nor Gagandeep Singh @ Gaggu, injured have named the petitioner. The petitioner who is a lady, is in custody since 09.05.2018. Trial in the case may take long time, I deem it appropriate to release her on regular bail.

Accordingly, the present petition is allowed and the petitioner is admitted on regular bail, subject to furnishing of her bail bonds/surety bonds to the satisfaction of the trial Court.

July 05, 2018
seema

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No