

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-33865-2018 (O&M)
Date of Decision:-25.10.2018.

Balwinder Kaur

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE P.B. BAJANTHRI

Present: Mr. Vaibhav Narang, Advocate for the petitioner.

Mr. Nikhil K. Chopra, Additional A.G. Punjab.

Mr. Gursimran Singh Bhatia, Advocate for the complainant.

P.B. BAJANTHRI, J. (Oral)

In the instant petition, petitioner has sought for regular bail under the provisions of Section 439 Cr.P.C. in case FIR No.40 dated 18.04.2017, under Sections 302/34 IPC, registered at Police Station Kathu Nangal, District Amritsar.

2.) The alleged incident is relating to murder of Gurbhej Singh son of complainant. Petitioner Balwinder Kaur and complainant are related to each other. Petitioner was in suspicion that deceased is responsible for matrimonial dispute of her daughter and due to which the alleged incident has occurred. Perusal of the FIR, it is evident that petitioner has not caused any injury.

role is limited to the extent of raising alarm to finish off deceased Gurbhej Singh and to teach them a lesson for breaking marriage of their daughter. Petitioner is in custody since 18.04.2017. Prosecution witnesses have been examined and defence witnesses are to be examined. Petitioner is not involved in any other case. Moreover she is a lady. Thus, petitioner is entitled to regular bail.

4.) Learned State counsel, on instructions from Head Constable Avtar Singh, has not disputed the above factual aspects.

5.) Heard.

6.) In view of these facts and circumstances, petitioner is entitled to the benefit of regular bail, therefore, without expressing any opinion on the merits of the case, present petition is allowed. Petitioner-Balwinder Kaur is ordered to be released on bail on her furnishing bail/surety bonds to the entire satisfaction of the Chief Judicial Magistrate/Duty Magistrate concerned with the following conditions:-

(i) Petitioner shall not in any way indulge in any criminal activities and she shall not influence the witnesses or otherwise interfere with the fair trial.

(ii) Petitioner shall not interfere with the complainant and also not indulge in any controversy with complainant.

(P.B. BAJANTHRI)
JUDGE

October 25, 2018.

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Whether speaking/reasoned:-

Yes / No

Whether Reportable:-

Yes / No.