

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-36207-2018 (O&M)

Date of Decision:- 17.9.2018

Raj Kumari

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. G.S.Sandhu, Advocate, for the petitioner.

Mr. Gaurav Garg Dhuriwala, Sr. DAG, Punjab.

GURVINDER SINGH GILL, J. (Oral)

The petitioner seeks grant of anticipatory bail in a case registered against her in FIR No.54, dated 9.6.2018, under Sections 307, 326, 324, 325, 148, 149 IPC, Police Station Kamboj, Amritsar.

The FIR in question was lodged at the instance of Major Singh who alleged that his father and paternal uncle had purchased land in the year 1962 where they have shops out of which two shops had been let out to Ajit Kumar and Raj Kumar sons of Sohan Lal. It is alleged that Raj Kumar in connivance with revenue officials got a false sale deed executed in his name in respect of the shops in question and wanted to raise loan against the said shops in connivance with the bank officials. It is alleged that on the day of occurrence Ajit Kumar armed with 'kirpan', Manoj Kumar and Raj Kumar armed with 'kirch', Vijay Kumar armed with 'kirpan', Raj Kumari armed with 'datar', Chanchal Singh armed with 'baseball bat' and Gurbaz Singh armed with 'dang' waylaid them. It is further the case of the prosecution that

Shabegh Singh and Balkar Singh were also there and they all attacked them with intention to kill them. Ajit Kumar is stated to have raised *lalkara* to teach the complainant a lesson and upon which Manoj Kumar gave a 'kirch' blow which hit him on the right side of the chest. Another blow was given by Raj Kumar with his 'kirch' which hit on the right side of stomach of the complainant. When complainant's nephew Rajkiranjit Singh came forward to rescue him then Raj Kumar gave a 'kirch' blow to him which hit on the right side of his stomach. Raj Kumar is also stated to have given a blow with 'kirch' which hit on the left side of the stomach of complainant. Present petitioner Raj Kumari is stated to have given a blow with 'datar' hitting the left hand of the complainant. While the complainant fell down, Chanchal Singh hit the complainant with a 'baseball bat' while the remaining accused throwing brickbats at him.

Notice of this petition was issued to the respondent.

Learned State counsel has opposed the present petition.

Learned counsel for the petitioner has submitted that the petitioner has been falsely implicated in the present case merely to pressurize rest of the accused, as the petitioner is a lady.

On the other hand learned State counsel has submitted that the injury attributed to the petitioner has been declared as a 'grievous injury' and that in these circumstances no case is made out for grant of anticipatory bail. It has however been informed that the petitioner had joined the investigation while on interim bail, granted by the Court of learned Additional Sessions Judge and that the weapon, allegedly used by her, has already been recovered.

Having regard the to facts and circumstances of the case and that the weapon of offence has already been recovered and also bearing in mind that the petitioner is a lady, the petition, is accepted and the petitioner, in the event of arrest, be released on bail subject to her furnishing personal bonds and surety bonds to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join investigation as and when called upon to do so and cooperate with the Arresting/Investigating Officer and shall abide by the conditions as provided under Section 438 (2) Cr.P.C. and in case, at a later stage challan is filed against her, she is directed to appear before the learned trial Court and cooperate with the proceedings of the trial.

September 17, 2018

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(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned	Yes / No
Whether Reportable	Yes / No