

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-43049-2018
Date of Decision: 12.10.2018

Karamjit Kaur

.. Petitioner

Vs.

State of Punjab

..Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Kulbhushan Raheja, Advocate for the petitioner.

...

Inderjit Singh, J.

Petitioner Karamjit Kaur has filed this petition under Section 438 of the Code of Criminal Procedure, 1973 (for brevity, 'Cr.P.C.') for grant of anticipatory bail in case FIR No.77 dated 18.06.2017, registered at Police Station Sadar Faridkot, District Faridkot, under Sections 302, 341, 323, 506 and 34 of the Indian Penal Code.

Notice of motion

On the asking of the Court, Ms. Monika Jalota, DAG, Punjab, accepts notice on behalf of respondent-State.

I have heard learned counsel for the petitioner as well as learned State counsel and have gone through the record.

From the record, I find that the FIR has been registered on the statement of complainant/deceased Balbir Singh, who has expired on 03.07.2017. The present petitioner is stated to have given brick bat blow to the deceased. She is not the main accused. The main allegations are against co-accused Hardeep Singh and Mehak Singh.

Learned counsel for the petitioner submits that there is a delay

of about 3 days in recording the FIR. The present petitioner has been found innocent during investigation. She has been summoned under Section 319 Cr.P.C., which order has also been challenged.

The present petitioner is not required for custodial interrogation as she is only to face the trial. Trial of the case will take long time. No useful purpose will be served by sending her to custody.

Keeping in view the facts and circumstances of the present case; without discussing the facts of the case in minute details and without expressing any opinion on the merits of the case, I find merit in this petition and the same is allowed. The petitioner is directed to surrender before the trial Court within 10 days from today and on doing so, she shall be released on bail by the trial Court to its satisfaction.

12.10.2018
Jasmine Kaur

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No