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

**CRM-M No.48754 of 2017
Date of Decision: 15.01.2018**

SUKHBIR KAURPetitioner
Vs
STATE OF PUNJABRespondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Naveen Bawa, Advocate
for the petitioner.

Mr. Sandeep Kumar, D.A.G., Punjab.

RAJ MOHAN SINGH, J.(Oral)

Petitioner seeks grant of regular bail under Section 439 Cr.P.C in case bearing FIR No.135 dated 20.08.2017, registered under Sections 302/307/323/324/452/447/511/ 506/427/120-B/148/149 IPC, under Section 25/27 of the Arms Act and Under Section 3(1)(X), 3(2)(V) of S.C.S.T., Act at Police Station Lopoke, District Amritsar.

Learned counsel for the petitioner submitted that there was a contested litigation between the parties in respect of land of Chanan Kaur which was allotted to landless persons in the Village. Husband of Chanan Kaur was relative of Harbhajan Singh. In the year 1975, an allegation was made that Harbhajan Singh and others in connivance got murdered Chanan Kaur

through his brother Narinder Singh. Narinder Singh was convicted and sentenced for a period of 20 years. Mutations were illegally sanctioned in connivance with the revenue staff in favour of Harbhajan Singh. Some of the villagers had even constructed houses on the land so allotted to them. Those villagers challenged the mutations. Initially, Sub-Divisional Magistrate cancelled the mutations in the year 2011 and sanctioned the same in favour of Government of Punjab. Collector and Commissioner maintained the said order. CWP was filed in the High Court in which Director, Panchayati Raj made a statement that 95 allottees of the village will be given other land in exchange. In view of said statement, the writ petition was decided in favour of Harbhajan Singh.

Learned counsel further submitted that on 18.07.2017, there was alleged delivery of possession. Thereafter allegations were that an effort was made to take forcible possession of the land by a mob consisting of about 200 persons. As per allegations Rupinder Singh fired upon Sukhdev Singh, who fell down. Amandeep Singh also fired upon Sahib Singh thereby causing injury upon him. Other assailants also assaulted the complainant party. The role attributed to the petitioner is that she being wife of Narinder Singh provided food to the members of the unlawful assembly.

Learned counsel further submitted that co-accused Manpreet Singh, who was also member of the alleged unlawful assembly has been granted bail by the co-Ordinate Bench of this Court vide order dated 18.12.2017 passed in CRM-M No.43830 of 2017.

Learned State counsel on instructions from ASI Kulwinder Singh submitted that the challan has already been presented and the case before the trial Court is fixed for framing of charges.

At this stage, without advertng to the merits of the case, I deem it appropriate to grant concession of regular bail to the petitioner. Consequently, the present petition is allowed. Petitioner is ordered to be enlarged on bail, subject to her furnishing adequate bail bonds/surety bonds to the satisfaction of the trial Court.

Nothing expressed hereinabove would be construed to be an expression of any opinion on merits of the case.

January 15, 2018

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(RAJ MOHAN SINGH)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No