

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

CRM-M No. 49249 of 2017

DATE OF DECISION :- April 19, 2018

Balbir Kaur

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE H.S. MADAN

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

Mr. Saurav Khurana, DAG, Punjab.

Mr. Tanmoy Gupta, Advocate for the complainant.

This petition for regular bail has been filed by petitioner Balbir Kaur, aged about 48 years, a married woman who is an accused in F.I.R. No. 82 dated 9.12.2016 for offence under Sections 307 and 34 IPC read with Sections 25 and 27 of the Arms Act registered with Police Station Sekhwan, District Gurdaspur.

It is contended by learned counsel for the petitioner that petitioner is behind bars since 2.11.2017 and though as per version of prosecution she was armed with a 'Barchhi' but no injury has been attributed to her.

Though challan has been filed and charge has been framed on 18.4.2018, however, no witness has been examined so far and conclusion of trial is likely to take some time. He further contends that the matter has since been compromised between the parties. Counsel representing the complainant admits the factum of compromise between the parties.

Learned State counsel on instructions from ASI Vijay Kumar from Police Station Sekhwan states that compromise had in fact been entered into between the parties.

Keeping in view all the facts and circumstances and more particularly the fact that petitioner is a middle aged married woman, without expressing any opinion on merits of the case, I find that it would be in fitness of things if the present petition is allowed. The petitioner is ordered to be released on bail on furnishing bail bond and surety bond to the satisfaction of the learned trial Court/CJM/Duty Magistrate, Gurdaspur subject to the following conditions : -

- (i) she shall appear in the Court on each and every date of hearing.
- (ii) she shall not give any threat or intimidation to the prosecution witnesses.
- (iii) she shall not leave India without prior permission of the Court and shall surrender her Passport, if she has got one otherwise to furnish affidavit in that regard.

In addition to that the trial Court may impose any term and condition found suitable to ensure that the petitioner does not abscond and interfere in the trial.

In case the petitioner violates any term and condition on which the bail has been granted to her, the order shall be liable to be withdrawn.

(H.S. MADAAN)
JUDGE

April 19, 2018
p.singh

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No