

225 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-26563-2019 (O&M)

Date of decision:04.07.2019

Harpreet Kaur

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present: Mr. Akshay Kumar Goel, Advocate, for the petitioner.

Mr. Kirat Singh Sidhu, DAG, Punjab.

RAJBIR SEHRAWAT, J. (ORAL)

The present petition has been filed by the petitioner under Section 439 Cr.P.C for grant of bail pending trial in case FIR No.83 dated 26.06.2018 registered under Sections 342, 323, 506, 149 of IPC and Section 308/325 of IPC (added later on vide DDR No.31 dated 30.06.2018) and Section 302 of IPC (added later on vide DDR No.38 dated 31.08.2018), at Police Station Chabbewal, Tehsil and District Hoshiarpur.

It is contended by the learned counsel for the petitioner that the name of the petitioner has been wrongly involved in this case. She is not connected with the crime at all. Since, there was nothing specific against the petitioner, therefore, only general and vague allegations have been leveled against her. Still further, it is submitted that on account of the injured having expired, Section 302 of IPC was added in this case. However, the petitioner has not been charged with the offence under Section 302 of IPC. She has been charged only with the offence, which are bailable in nature. It is further submitted that there is no other case against the petitioner. The petitioner is in custody since 03.09.2018. The investigation is complete, therefore, the petitioner is not required for any investigation purposes.

On the other hand, learned State counsel submits that the petitioner is involved in the incident which has resulted into the death of a person. It is further submitted that the petitioner was a common participant with her co-accused. However, it is not disputed that the petitioner is not charged with the offence under Section 302 IPC. It is also not disputed that the petitioner is in custody since 03.09.2018 and that the investigation of the case is complete.

In view of the above, but without commenting any further upon merits of the case, the present petition is allowed. It is ordered that the petitioner be released on bail on his furnishing bail bonds/ sureties to the satisfaction of the trial Court/ Duty Magistrate.

(RAJBIR SEHRAWAT)
JUDGE

04.07.2019
Hemlata

Whether speaking/reasoned	Yes / No
Whether reportable	Yes / No