

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

210

CRM-M-31356-2019 (O & M)  
Date of Decision:05.09.2019

Manpreet Kaur @ Dolly

...Petitioner

Versus

State of Punjab

...Respondent

**CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ**

Present: Mr. Avtar S. Khinda, Advocate  
for the petitioner.

Mr. Ramdeep Partap Singh, DAG, Punjab.

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**MANOJ BAJAJ, J.**

Petitioner has filed this petition under Section 439 of the Code of Criminal Procedure for grant of regular bail in case FIR No.103 dated 07.05.2019, under Sections 307, 353, 186, 224, 225, 34, 379-B, 120-B IPC and Sections 25/27 of the Arms Act, 1959, registered at Police Station City Kapurthala, District Kapurthala.

As per prosecution, on 07.05.2019 when police officials were on duty to produce three accused namely Vijay Kumar, Ajay Kumar and Harbhej Singh before the Medical Officer for their medical check-up at Civil Hospital, Kapurthala, meanwhile, at about 1.30 pm, they heard noise of firing outside the OPD room of Medical Officer. On asking, Constable

Kehar Singh and other persons who were present at Hospital informed that

four young persons on two motorcycles bearing No.PB-02-DQ-6894 and PB-02-AY-5598 respectively, came there and managed to flee away one of the accused Harbhej Singh @ Bheja along with his handcuff after firing shots in air. However, the said police official with the help of Head Constable Major Singh, had apprehended two accused namely Sarwan Singh @ Sunny and Manpreet Singh, out of four accused, who came there to rescue the prisoner and fired shots with the intention to kill the police party who were performing their official duties.

Learned counsel for the petitioner contends that the FIR and the allegations relate to facilitating the escape of the prisoner namely Harbhej Singh, who was brought to the Kapurthala Hospital on 07.05.2019. He submits that the said prisoner was involved in various cases. He submits that the petitioner was not one of the assailants, who allegedly made a successful attempt in the escape of Harbhej Singh. According to him, the investigation of the case is complete as the final report stands filed on 13.08.2019.

On the other hand, learned State counsel assisted by ASI Manjit Singh has opposed the bail application. According to him, the petitioner facilitated the said occurrence as she used to meet the prisoner in jail and her brother namely Sarwan Singh was one of those five accused persons, who fired at the police party. It is pointed out that Sarwan Singh was arrested on the spot along with other co-accused Manpreet Singh. However, it is not disputed that the petitioner was not present at the spot and is indicted on the basis of criminal conspiracy punishable under Section 120-B IPC.

At this stage, learned counsel for the petitioner contends that as

per prosecution, petitioner is stated to be wife of Harbhej Singh and Sarwan Singh is described as brother-in-law of Harbhej Singh.

Considering the above, this Court does not find any valid reason to further detain the petitioner in custody, who is a lady and is not involved in any other case, coupled with the fact that the trial is likely to take considerable time. Therefore, without meaning any expression of opinion on the merits of the case, it is ordered that the petitioner be released on regular bail subject to her furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court concerned.

The petition is allowed.

05.09.2019

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**(MANOJ BAJAJ)**  
**JUDGE**

Whether Speaking/Reasoned: Yes/No  
Whether Reportable : Yes/No