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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

SANJIV KUMAR SHARMA
2019.11.19 10:31
I attest to the accuracy and
authenticity of this document

CRM-M-41729-2019
Date of decision : 15.11.2019

Simar Kaur Petitioner

Versus

State of Punjab Respondent

CORAM: HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

Present: Mr. Jasraj Singh, Advocate
for petitioner.

Ms. Monika Jalota, DAG Punjab.

Mr. Parminder Singh, Advocate
for complainant.

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HARINDER SINGH SIDHU, J.

Prayer is for grant of regular bail in case FIR No. 212, dated 31.8.2018, registered under Sections 307, 323, 447, 148, 149 IPC (Section 302 IPC added subsequently, vide DDR No. 29, dated 1.9.2018) at P.S. Tanda, District Hoshiarpur.

FIR was registered on the statement of Jeet Singh wherein he stated that on 30.8.2018 at about 12.30 PM, he heard some noise. He went outside the house and saw that accused persons armed with different weapons were beating his brother Harjeet Singh, his niece Manjinder Kaur and nephew Harwinder Singh. They were also dismantling the shed of Harjeet Singh. When his brother, niece and nephew obstructed them then they caused injuries to them with their respective weapons. Harjeet Singh and Manjinder Singh were injured. Harjeet Singh later on died during treatment.

The learned counsel for petitioner states that only role attributed to petitioner is that she pulled hair of deceased when he was lying on the ground. The iron rod injury on the head of deceased is attributed to Sukhdev Singh. Similarly, injury on the head of Manjinder Kaur because of which she has allegedly gone to coma has been attributed to Sukhwinder Singh, other son of petitioner.

Petitioner is 73 years old. She has been in custody since 31.8.2018. The investigation in case is complete. Challan has been filed and the case is fixed before trial Court for framing of charge.

Without commenting anything on the merits of case and also bearing in mind the fact that petitioner an old lady in her seventies is in custody since 31.8.2018, in my opinion, no useful purpose will be served by detaining her behind bars during trial. The petition, as such, is accepted. Petitioner Simar Kaur is ordered to be released on bail on her furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

(HARINDER SINGH SIDHU)
JUDGE

15.11.2019

sjks

Whether reasoned order : Yes / No

Whether reportable : Yes / No