

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

CRM-M No.56153 of 2018 (O&M)

Date of decision: 27.03.2019

Sudesh Devi

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. H.S. Sandhu, Advocate
for the petitioner.

Mr. Sidakmeet S. Sandhu, AAG, Punjab.

ARVIND SINGH SANGWAN J.

Prayer in this petition is for grant of regular bail to the petitioner in FIR No.95 dated 11.05.2017 registered under Sections 302, 34 of the Indian Penal Code, 1860 (in short 'IPC') at Police Station Sahnewal, District Ludhiana.

Counsel for the petitioner has submitted that as per the allegations in the FIR, which was got registered by the complainant – Pale Ram, the complainant along with his wife and children are working as a labourers at Jagdish Da Batha i.e. in a brick-kiln. The petitioner, her husband and other family members are also working in the same brick-kiln. On 11.05.2017 at about 7:30 pm, the complainant was sitting with his family members when his daughter namely Seema came and told that Yashpal (brother-in-law of the petitioner) has teased her. On which, Chander Bose son of the complainant went to the house

of the petitioner to lodge a complaint about the conduct of Yashpal and came back. After some time, Yashpal (brother-in-law of the petitioner) armed with a sharp edged weapon, his minor niece armed with an axe and the petitioner armed with a danda came to the house of the petitioner and struck an axe blow on the head of Chander Bose and he fell down and blood started oozing out from his head. Thereafter, all the accused started beating the family members of the complainant with their respective weapons and thereafter, they fled away from the spot. In the said incident, Chander Bose died on account of the injuries sustained by him.

Counsel for the petitioner has submitted that as per the allegations, the fatal blow is attributed to the daughter of the petitioner namely Alka whereas the petitioner is attributed injuries with a stick blow to other family members and not to the deceased – Chander Bose. It is further submitted that the petitioner is in custody since May, 2017 and conclusion of the trial will take some time.

Counsel for the State, on the basis of the allegations leveled against the petitioner and the Custody Certificate, has not disputed the fact that the petitioner is in custody since 11.05.2017 and submits that the case is at the stage of recording the evidence of the prosecution.

After hearing the counsel for the parties, I find that the petitioner, her daughter and brother-in-law namely Yashpal had gone to the house of the complainant and caused fatal injuries to his son Chander Bose. As per the FIR, even the other family members of the complainant were given beatings by the petitioner and others and,

therefore, considering the serious allegations leveled against the petitioner, I find no ground to grant regular bail to the petitioner.

Dismissed.

(ARVIND SINGH SANGWAN)
JUDGE

27.03.2019
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Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No