

112 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-7363-2020

Date of decision-19.03.2020

Kulwinder Kaur

....Petitioner

Vs.

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Amandeep Singh Rai, Advocate for the petitioner.

Ms. Monika Jalota, DAG, Punjab.

MANOJ BAJAJ, J.

Petitioner has prayed for grant of regular bail under Section 439 Cr.P.C in case FIR No.127 dated 27.07.2017 registered under Section 302 read with Section 34 of Indian Penal Code, 1860 at Police Station Payal, District Ludhiana.

The FIR was registered on the statement of Anuradha (wife of deceased-Satpal) wherein it was alleged that on 26.07.2017, when complainant's husband was returning back from his shop, then Lovepreet Singh, Amarnath waylaid him and gave beatings also. Kulwinder Kaur (petitioner), Krishna and Sarabjit Singh @ Raju who were present at the spot gave chappal blow on the head of Satpal. When victim raised noise, then Suresh Kumar, Shimla Devi and Mona tried to save victim but all accused persons forcibly took victim outside the village. After giving beatings to complainant's husband, accused persons gave some poisonous substance in

liquor to him. As a result, victim died. On these broad allegations, FIR was registered.

Learned counsel for the petitioner contends that the material witnesses have been examined and the case of the petitioner is at par with co-accused-Sarabjit Singh who was granted regular bail by this Court vide order dated 06.02.2020 (Annexure P-8). He submits that the further custody of the petitioner may not be justified, therefore, the petitioner be released on regular bail pending trial.

On the other hand, learned State counsel does not dispute this fact that the case of the petitioner is at par with co-accused-Sarabjit Singh, who is on bail. She states that the material witnesses have been examined, however, still some of the prosecution witness remain to be examined.

Considering the above background, custody of the petitioner who is a lady, and the fact that the trial of the case is likely to consume considerable time to conclude, therefore, further detention of the petitioner may not be necessary. Resultantly, 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.

19.03.2020

vanita

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned :

Yes

No

Whether Reportable :

Yes

No