

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH
203**

CRM-M-7407-2020

DATE OF DECISION: MAY 29, 2020

Jatinder Kaur

.....Petitioner

VERSUS

State of Punjab

....Respondent

CORAM:- HON'BLE MR.JUSTICE AUGUSTINE GEORGE MASIH

1. Whether Reporters of local papers may be allowed to see the judgement?
2. To be referred to the Reporters or not?
3. Whether the judgment should be reported in the Digest?

Present: Mr. Bhritu Dutt Sharma, Advocate,
for the petitioner.

Mr. Suvir Sheokand, Additional Advocate General, Punjab,
for the State.

Mr. Param Preet Singh Paul, Advocate,
for the complainant.

AUGUSTINE GEORGE MASIH, J. (ORAL)

Petitioner has approached this Court, praying for grant of regular bail in case FIR No.73, dated 07.11.2019, registered under Sections 302, 323, 34 IPC at Police Station Singh Bhagwantpura, District Rupnagar, in which she was arrested on 08.11.2019.

The role attributed to the petitioner is that she was armed with a *danda* and gave a blow on the back of Taranjit Singh. He further submits that the petitioner has been attributed single injury, which is on the back of

Taranjit Singh, who is a young boy of 25/26 years of age and the said injury has been found to be simple in nature. No other injury has been attributed to the petitioner. More than six months have passed and the prosecution has cited 24 witnesses, out of which only one witness was examined and thereafter an application under Section 319 Cr.P.C. has been moved, which is now listed for hearing on 08.06.2020 and no reply has been filed by the State. He also contends that the trial is not likely to conclude soon and, therefore, the petitioner, being 62 years of age and a lady, be granted the concession of bail.

On the other hand, learned counsel for the State as also counsel for the complainant contend that the petitioner was actively involved in the commission of crime as she had given a blow with *danda* held by her on the back of Taranjit Singh. The other factual aspects with regard to age of the petitioner and the stage of trial could not be disputed by counsel for the State.

I have considered the submissions made by counsel for the parties and on considering the same, I am of the opinion that the petitioner deserves to be granted the concession of bail keeping in view that she is a lady of 62 years of age and is in custody for the last six months and the injury attributed to her with *danda* has been found to be simple in nature. The application under Section 319 Cr.P.C. has to be decided and the trial, therefore, is not likely to conclude in near future.

The present petition is, therefore, allowed. The petitioner is directed to be released on bail to the satisfaction of the Trial Court/Chief Judicial Magistrate/Duty Magistrate/trial Court, Rupnagar.

Any observation made herein above is for the purpose of disposal of the present petition alone and shall have no bearing on the merits of the case during trial in any manner.

May 29, 2020
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(AUGUSTINE GEORGE MASIH)
JUDGE

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