

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

CRM-M No.14698 of 2020

Date of decision:08.07.2020

Surinder Kaur

vs.

State of Punjab

..

CORAM: HON'BLE MRS. JUSTICE ALKA SARIN

Present: Mr. Jasraj Singh, Advocate for the petitioner.
Mr. Luvinder Sofat, DAG, Punjab.

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ALKA SARIN, J. (Oral)

Heard through video conferencing.

This is a petition under section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail in FIR No.30 dated 03.03.2018 under sections 302, 148, 149 and 120-B IPC and Sections 449 and 450 IPC added later on, registered at Police Station Sadar, District Hoshiarpur.

The FIR has been registered on the statement of one Rajinder Sharma alleging that the complainant had filed a criminal case against his maternal uncle Ramesh Kumar and his (Ramesh Kumar's) son Lovepreet @ Cheenu regarding teasing of his daughter Heena Sharma and due to this grudge, Lovepreet @ Cheenu, his father Ramesh Kumar, mother Surinder Kaur and uncle Roop Lal filed false complaints against the complainant and also used to give threats. On 03.03.2018, at about 5.00 p.m. Lovepreet @ Cheenu, Ramesh Kumar, Roop Lal, Prem Lata and Surinder Kaur came to the house of complainant with deadly weapons. Heena Sharma, daughter of

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I attest to the accuracy and
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complainant, informed the complainant telephonically about the incident as he was not at home at that time. She informed him that all the abovesaid persons armed with weapons were giving beatings to them. When the complainant reached home, he saw that Lovepreet Singh @ Cheenu armed with Kirch, Surinder Kaur armed with Kirch, Ramesh Kumar armed with axe, Roop Lal armed with Kirch, Prem Lata armed with dagger were giving beatings to Seema Sharma (complainant's wife) and his son Harsh Sharma. On raising hue and cry, all the accused persons fled with their respective weapons. Thereafter, injured Seema Sharma and Harsh Sharma were taken to Civil Hospital, Hoshiarpur, but the doctor concerned declared them "dead".

It has been contended by learned counsel for the petitioner that similarly situated co-accused has been granted bail by this court in CRM-M No.512 of 2020 vide order dated 15.01.2020.

Per contra, learned State counsel on instructions from ASI Dilbagh Singh has contended that it is not a fit case for grant of bail inasmuch as the petitioner has been named in the FIR and grievous injuries were inflicted on Seema Sharma and Harsh Sharma, the complainant's wife and son, respectively. However, he is unable to deny the fact that similarly situated co-accused has been granted bail by this court vide order dated 15.01.2020 in CRM-M No.512 of 2020.

Heard learned counsel for the parties.

Keeping in view that similarly situated co-accused has already been granted bail by this court as also the fact that the trial of the case is likely to take a considerable time to conclude and considering the custodial

period of the petitioner, which is two years and four months, without expressing any opinion on the merits of the case, I deem it appropriate to release the petitioner on regular bail on furnishing bail bonds/surety bonds to the satisfaction of trial Court, Hoshiarpur. It would, however, be open to the prosecution to get bail cancelled in case the petitioner is found to be misusing the concession of bail.

Disposed of accordingly.

July 08, 2020
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(ALKA SARIN)
JUDGE

Whether speaking/reasoned	Yes/	No
Whether Reportable	Yes/	No