

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

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**CRM-M-20326-2020
Date of decision : 29.07.2020**

Renu Bala

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI

Present : Mr. Balram Singh, Advocate
for the petitioner.

Mr. Sidakmeet Sandhu, AAG, Punjab
for the respondent-State.

ARUN KUMAR TYAGI, J (ORAL)

The case has been taken up for hearing through video conferencing.

The petitioner has filed present second petition under Section 439 of the Cr.P.C. for grant of regular bail to her in case FIR No.13 dated 24.01.2020 registered under Sections 323, 326, 307 and 506 of the Indian Penal Code, 1860 at Police Station Sarabha Nagar, Ludhiana.

Briefly stated the case of the prosecution against the petitioner as per the allegations made in the FIR registered on statement of complainant-Shashi Sharma are that the petitioner was married to Nitin Sharma about 10 years back and two children now aged about 8 years and 10 years were born out of the wedlock. The petitioner shirked doing the household work and whenever advised by her mother-in-law/complainant-Shashi Sharma, the petitioner used to become hyper and beat her husband in anger. About 4 days back the petitioner tried to

break her (complainant's) mobile phone by snatching the same and on being stopped from doing so threatened to get a case registered against her and her son. On 21.01.2020 when she (complainant) was praying while sitting on her bed, the petitioner got enraged on the question of doing household work and saying that she would finish her, gave 3-4 'Thaappi' (wooden bat) blows on her head. When she snatched the 'Thaappi' (wooden bat) from the petitioner, the petitioner tried to strangle her. Due to injuries she became unconscious and re-gained consciousness in the hospital.

The petitioner, who is in custody since 24.01.2020, has filed the present second petition for grant of regular bail. Her first application was dismissed as withdrawn by this Court vide order dated 14.05.2020.

Petition has been opposed by learned State Counsel. However, respondent-State has not filed any reply.

I have heard learned Counsel for the petitioner and learned State Counsel and gone through the record.

Learned Counsel for the petitioner has argued that the petitioner has been falsely implicated in the case. There was undue and unexplained delay of about two days in lodging of the FIR. The complainant with the help of her son manipulated her injuries and medico-legal reports. On completion of investigation challan has been filed by the police. The trial is likely to take long time in view of the restrictions imposed to prevent spread of infection of Covid-19. No useful purpose will be served by detention of the petitioner in custody during trial. Therefore, the petitioner may be granted concession of regular bail.

On the other hand, learned State Counsel has argued that the petitioner had caused injuries including grievous injury on the head of the complainant with sharp edged weapon and had tried to strangle the complainant. In view of gravity of offences committed, the petitioner does not deserve the concession of regular bail. Therefore, the petition may be dismissed.

The petitioner is alleged to have caused injuries to the complainant by giving 3-4 blows with 'Thaappi' (wooden bat) alleged to have sharp edged edges and to have tried to strangle her. Injury on the head of the complainant caused with sharp edged weapon was found to be grievous and to be dangerous to life. Marks of strangulation were also observed by the doctor at the time of medico-legal examination of the complainant.

Keeping in view the facts and circumstances of the case, nature of accusation and evidence against the petitioner, the injuries attributed to her as well as the fact that the trial can be expedited on easing out of the restrictions imposed to prevent spread of infection of Covid-19, I am of the considered view that the petitioner does not deserve the concession of regular bail.

In view of the above, the petition is dismissed.

29.07.2020

Kothiyal

(ARUN KUMAR TYAGI)
JUDGE

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