

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

CRM-M-20937-2020

Date of Decision:-07.08.2020

GURWINDER KAUR @ BABY

... Petitioner

Versus

STATE OF PUNJAB

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Bhupinder Ghai, Advocate for the petitioner.

Mr. Ramandeep Sandhu, Sr. DAG, Punjab.

(the aforesaid presence is being recorded through video conferencing since the proceedings are being conducted in Virtual Court)

GURVINDER SINGH GILL, J.

1. The petitioner has approached this Court seeking grant of anticipatory bail in a case registered against her vide FIR No.99 dated 12.6.2020 under Sections 323, 341, 506, 34 IPC IPC (Section 326 IPC added later on) at Police Station Fatehgarh Sahib, District Fatehgarh Sahib.
2. The FIR was lodged at the instance of Nirmal Singh wherein it is alleged that he had got installed CCTV cameras in his house but somehow his neighbour ASI Gurcharan Singh and other members of his family raised objection to the same and on account of which he changed the directions of the cameras but despite the same they were not satisfied. It is alleged that on 11.6.2020 Baby wife of ASI Gurcharan Singh and one lady namely Harpreet Kaur @ Katto who also resides at his house came in

front of complainant's house and started abusing him and other members of his family. It is alleged that Baby threw stone at the complainant but the same missed him. It is further alleged that in the meantime Harpreet Kaur @ Katto came there carrying a plastic container and put some acid like liquid in it and threw the same at the complainant and on account of which the clothes worn by the complainant turned yellow.

3. Learned counsel for the petitioner has submitted that even as per the FIR the only role attributed to the petitioner is that she had thrown stone on the complainant but the same did not hit the complainant. It is further submitted that even the allegations of sprinkling acid do not seem plausible inasmuch as no acid like substance or acid burn injury was found on the person of the complainant as would be evident from the MLR (Annexure P-2).
4. Opposing the petition, learned State counsel has submitted that clothes worn by the complainant were got examined from Forensic Science Laboratory (FSL) which has reported presence of acid on some clothes.
5. I have considered rival submissions addressed before this Court.
6. Having regard to the facts and circumstances of the present case especially the fact that the only role attributed to the petitioner is that she had thrown stone on the complainant which did not hit the complainant at all and while keeping in view that the petitioner is a lady, this Court does not find it to be a case of custodial interrogation. The petition, as such, is accepted and it is ordered that the petitioner in the event of her arrest shall be released on bail subject to her furnishing personal bonds and surety

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bonds to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and cooperate with the Arresting/Investigating Officer and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C.

(GURVINDER SINGH GILL)
JUDGE

07.08.2020
Gaurav Sorot

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