

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

CRM-M-26976-2020

Date of decision: **14.9.2020**

RAMPATI

.....Petitioner

Versus

STATE OF HARYANA

.....Respondent

CORAM : HON'BLE MR.JUSTICE GURVINDER SINGH GILL

Present: Mr. Arjun Sheoran, Advocate
for the petitioner.

Mr. Karan Sharma, AAG, Haryana.

(Proceedings conducted through video conferencing).

GURVINDER SINGH GILL, J. (ORAL)

1. The petitioner seeks grant of regular bail in a case registered against her vide FIR No.259 dated 13.6.2020 under Sections 307, 365, 506 IPC at Police Station Narnaund, District Hansi.
2. The FIR was registered at the instance of Kuldeep wherein it is alleged that on 13.6.2020 when he was present in his fields, then Rampati (petitioner) along with her two 2 sons Sanjay & Binder and also Sunil son of Dharampal were present in the adjacent fields carrying 'Baton', stick and 'Kasola'. It is alleged that the said persons attacked the complainant and while Sunil gave blow with 'Kasola' on his waist, Sanjay gave a blow with 'Baton' on the right feet of the complainant. Binder is stated to have caused injury with the 'Baton' on his left leg. The

petitioner-Rampati is alleged to have caught the complainant from the front side while the other gave beatings to the complainant indiscriminately. It is further alleged that Rampati-petitioner exhorted her companions to eliminate the complainant. Subsequently, the complainant was forced in a white coloured vehicle and while they were travelling in the said vehicle accused were saying that the complainant be thrown in the canal. Since there was no water in the canal, he was thrown on the footpath. After throwing the complainant on the footpath, Binder, Sanjay and Rampati told Sunil to run over the vehicle over the complainant and accordingly in order to kill the complainant, Sunil ran over the vehicle over the complainant.

3. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the present case and even if the allegations, as alleged in the FIR are taken to be correct, still the only role attributed to her is that of raising '*Lalkara*' and of catching hold of the complainant. Learned counsel has further submitted that in any case none of the accused is stated to be armed with deadly weapon and that 10 out of alleged 13 injuries were found to be simple while others are in the nature of dislocation and fractures which in any case cannot be attributed to the present petitioner.
4. Opposing the petition, learned State counsel submits that since the petitioner is specifically named in the FIR and had played a pivotal role in catching hold of the petitioner while the co-accused caused injuries and that the injured was in fact found to be sustaining as many as 13 injuries and out of them 3 injuries were found to be grievous in nature, no case for

grant of bail is made out. Learned State counsel has however submitted that investigation in this case has been completed and '*Challan*' already stands presented.

5. I have considered rival submissions addressed before this Court.
6. Keeping in view the fact that the petitioner is not attributed any injury and is alleged to have raised '*Lalkara*' and caught hold of the complainant and is not stated to be previous convict and while bearing in mind that the petitioner is lady, a lenient view in the matter is called for. The petition, as such, is accepted and the petitioner is ordered to be released on regular bail on her furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

14.9.2020
Gaurav Sorot

(GURVINDER SINGH GILL)
JUDGE

Whether reasoned / speaking? **Yes / No**

Whether reportable? **Yes / No**