

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

CRM-M-36553-2020

Date of decision:10.12.2020

Rajbir Kaur and another

...Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Parveen Chauhan, Advocate for the petitioners.

Mr. Sandeep Singh Deol, DAG, Punjab.

Mr. Gaurav Kalsi, Advocate for the complainant.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

Through this petition, the petitioners seek anticipatory bail in case bearing FIR No.136 dated 26.09.2020, registered at Police Station Khalra, District Tarn Taran, under Sections 452, 323, 324, 326, 148 and 149 IPC.

Learned counsel for the petitioners contends that two injuries have been attributed to petitioner No.1-Rajbir Kaur, whereas one injury to petitioner No.2-Baljinder Kaur, and that co-accused, Gurpreet Singh alias Gopy has since been granted anticipatory bail by the learned Additional Sessions Judge, Tarn Tara, vide order dated 09.11.2020.

Learned State counsel, assisted by learned counsel for the complainant, states that Rajbir Kaur-petitioner No.1 had caused one injury with a 'gandasi' on the left hand of complainant-Harmandeep Singh, whereas she had caused another injury with the 'gandasi' on the right thigh of Komaljeet Singh. So far as the injury attributed to Petitioner No.2-

Baljinder Kaur is concerned, the same was caused by her with 'barchi' on the right hand of Ram Singh.

I have heard learned counsel for the parties.

Though the petitioners have allegedly caused the aforesaid injuries, yet the fact remains that the same have been caused on the non-vital part of the injured. Apart from that, there appears to be no overtact alleged against them.

Keeping in view the facts and circumstances of the present case and without expressing any opinion on the merits of the case, this Court finds merit in this petition and the same is allowed. The petitioners are directed to join the investigation as and when called upon to do so and if they are sought to be arrested, they shall be released on anticipatory bail to the satisfaction of Investigating Officer/Arresting Officer, subject to the conditions as envisaged in Section 438(2) of the Code of Criminal Procedure.

It is made clear that if pursuant to and in compliance with this order, the petitioners do not cooperate with the investigating agency, the investigating agency would be liberty to move an appropriate application for cancellation of bail.

10.12.2020

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(HARNARESH SINGH GILL)
JUDGE

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