

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

CRM-M-38587-2019 (O&M)

Date of Decision: 13.01.2020

Charanjit Kaur and another

... Petitioners

v/s

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. APS Sidhu, Advocate for the petitioners.

Mr. Rajesh Bhardwaj, Sr. DAG Punjab assisted by
HC Kewal Singh.

* * *

VIVEK PURI, J. (ORAL)

This petition has been filed by the petitioners under Section 438 Code of Criminal Procedure for grant of anticipatory bail in case FIR No.76 dated 04.06.2019, under Sections 307/324/148/149/379 IPC registered at Police Station Kotbhai, District Sri Muktsar Sahib.

Perusal of the interim order dated 11.09.2019, reveals that the interim protection was extended to the petitioners. The said order reads as under:

“It is contended by learned counsel for the petitioners that the petitioners are wrongly involved in this case. Even as per the case of the prosecution, there is no allegation that the petitioners have caused any injury to any person. Still further it is submitted that it is a case of version and cross-version. Due to previous friction between the parties, the name of the petitioners have been involved only because of they being wives of the other co-accused.

Notice of motion for 13.01.2020.

Meanwhile, in the event of arrest, the petitioners be released on interim bail subject to their furnishing personal bonds/surety to the satisfaction of Arresting/Investigating Officer. However, the petitioners shall join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438(2) Cr.P.C.”

Precisely the allegations are to the effect that on 4.6.2019 at about 9 A.M. complainant along with other persons was present in the fields. In the meanwhile Gurpreet Singh armed with Kappa, Harjit Singh armed with Kappa, Balkaur Singh armed with Sela and the wives of Sukhmander Singh and Balkaur Singh (the present petitioners) armed with Dangs arrived at the spot. Sukhmander Singh and Harjit Singh gave Kappa blow to the head of the complainant with an intention to kill him who moved backward and fell down and his turban also fell down. The Kappa blow was inflicted on his left ear. Balkaur Singh tried to inflict Sela blow upon Manjit Singh, brother of the complainant who raised his hand to save himself of the blow and it landed out his finger adjoining to the index finger.

In terms of the order dated 11.09.2019 the petitioners were granted interim bail. It has been stated that no injury has been attributed to the petitioners and they have also joined the investigation. It has further been stated that petitioners are females, aged more than 55 years.

Learned State counsel, on instructions from HC Kewal Singh, has not disputed the factual position of the case. In these set of circumstances, sufficient exceptional circumstances are made out to extend

the concession of pre-arrest bail to the petitioners. The order dated 11.09.2019 is made absolute.

The petition stands allowed.

(VIVEK PURI)
JUDGE

13.01.2020
Janki

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