

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

CRM-M-482 of 2021 (O&M)
Date of Decision:-14.1.2021

Ranjit Kaur ... Petitioner

Versus

State of Punjab ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Navkiran Singh, Advocate for the petitioner.

(proceedings conducted through video conferencing)

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GURVINDER SINGH GILL, J.

1. The petitioner seeks grant of anticipatory bail in a case registered against her vide FIR No. 50 dated 24.2.2020 under Sections 302/341/120-B/148/149 IPC and Sections 25/27/29 of Arms Act at Police Station Sadar Tarn Taran, District Tarn Taran.
2. The FIR in the instant case was lodged at the instance of Palwinder Kaur against five accused who are specifically named including the present petitioner Ranjit Kaur and against nine unknown persons. It is alleged in the FIR that there is a dispute amongst her husband's family pertaining to land and that on 24.2.2020 her husband Baldev Singh was attacked by her brother-in-law Sukhdev Singh armed with a 'gun', Manjinder Singh armed with a 'pistol', Amanat armed with a 'pistol', Ranjit Kaur armed with a 'baseball bat', Kuldeep Singh armed with a 'gun', Kashmir Singh armed with a 'gun', Hoshiar Singh armed with a 'gun' and that her father-in-law was

also standing nearby who had gestured towards complainant's husband Baldev Singh. It is further alleged that another 8-9 persons were also present there with muffled faces and who were also armed with '*guns*' and '*pistols*'. Ranjit Kaur (petitioner) is alleged to have raised a *lalkara* exhorting the co-accused to teach Baldev Singh a lesson for raising demand of land and upon which the accused Sukhdev Singh, Amanat Singh, Manjinder Singh, Kashmir Singh, Kuldeep Singh and Hoshiar Singh started firing at Baldev Singh. The unknown persons dragged Baldev Singh by hair and gave blows with butts of their guns while Ranjit Kaur gave blows to him with baseball bat.

3. The learned counsel for the petitioner has submitted that the petitioner, who is a house wife, has falsely been implicated in the present case simply in order to pressurize the entire family and that it is unlikely that she would have inflicted blows with a baseball bat when other members of her family were present at the spot carrying guns and pistols. The learned counsel in order to hammer forth his aforesaid submission places reliance upon a judgment reported as 2006(3) RCR (Criminal) 783 - Kanwal Singh and others Versus State of Haryana.
4. I have considered aforesaid submissions addressed before this Court. A perusal of FIR would show that not only the petitioner is specifically named in the FIR but a specific role is also attributed to her. There is no dispute as regards the ratio of Kanwal Singh's case (supra) wherein it has been held that it is the duty of the Court to sift the grain from the chaff and to find out if some of the accused have been falsely roped in. The case is at a preliminary stage and at this stage this Court does not have any evidence

from which it could be inferred that the petitioner has been falsely roped in whereas the cited case was at appellate stage when the entire evidence stood recorded.

5. Further, in the instant case, the petitioner has already been declared a proclaimed offender. Hon'ble Supreme Court in Lavesh versus State (NCT of Delhi) - 2012 (8) SCC 730 and in State of Madhya Pradesh versus Pradeep Sharma - 2014(2) SCC 171 held that if an accused has absconded and has been declared a proclaimed offender, he would be disentitled for grant of anticipatory bail.
6. In view of the facts of the present case, especially in light of ratio of above referred judgments of Hon'ble the Supreme Court, this Court does not find any special case for grant of anticipatory bail.
7. The petition is sans merit and is hereby dismissed.

14.1.2021

kamal

(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No