

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

CRM-M-2220 of 2021

DATE OF DECISION :- January 25, 2021

Simranjit Kaur

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE H.S. MADAAN

Present:- Mr. Tajinder Pal Singh Makkar, Advocate for the petitioner.

Mr. Parveen Kumar Aggarwal, DAG, Haryana.

The case has been taken up through Video Conferencing.

This petition for regular bail has been filed by petitioner Simranjit Kaur, aged about 34 years, daughter of Harbhajan Singh, resident of Chaudhary Mohalla, Near Chonkhara, Ambala, an accused in FIR No.284 dated 22.06.2020, for offences under Sections 323, 324, 498-A and 34 IPC (Section 326 IPC added later on), registered with Police Station Rania, District Sirsa.

Briefly stated facts of the case as per prosecution version are that, criminal machinery in this case was set into motion by complainant Sukhwinder Kaur wife of Khushwant Singh, R/o Damdama, who in the statement got recorded with the police stated that she got married with Khushwant Singh about 9-10 years earlier and had given birth to a son from his loins; for the last 2-3 years, her husband had developed relations with a girl namely Simran (present petitioner) belonging to Chandigarh; said Simran had been visiting their house at Damdama; despite several panchayats being convened and efforts made to dissuade Khushwant Singh from maintaining relations with Simran, he proceeded in doing so; on 19.06.2020, Simran came to matrimonial home of the complainant and

stayed there for 02 days; Simran had stated that she would take Khushwant Singh abroad and as such, the complainant should divorce him; mother in-law of the complainant, namely, Jasbir Kaur, father in-law namely Jagdeep Singh and husband Khushwant Singh also pressurized the complainant to divorce Khushwant Singh, however, the complainant refused to do so; on 21.06.2020 at about 11.00 AM, when the complainant had gone to the roof top and asked her mother in-law and husband to send Simran back and then her mother in-law and husband started saying that Simran would stay there, however, the complainant could leave the matrimonial home; the complainant refused to do so; Simran caught hold of the complainant from her hair, whereas, Khushwant Singh picked up a datar lying in the verandah of the roof and gave blow with the same on right hand of the complainant; the complainant fell down; then Khushwant Singh, Simran and Jasbir Kaur gave beatings to her; thereafter, Khushwant Singh and Simran left home; the complainant informed her parental family, who came to matrimonial home of complainant and took her to CHC Rania, where she was given medical aid and was medico-legally examined and thereafter, referred to Govt. Hospital Sirsa. She was treated there.

After registration of the F.I.R, the investigation in the case started. The accused was arrested in this case on 28.12.2020. She had approached the Court of Sessions seeking regular bail, however, her such request was declined by learned Additional Sessions Judge, Sirsa vide order dated 11.1.2021, as such she has knocked at the door of this Court craving for grant of similar relief. On being notice learned State counsel as well as counsel for the complainant has put in appearance.

I have heard learned counsel for the parties besides going through the record.

Learned counsel for the petitioner has contended that main accused Khushwant Singh has been granted regular bail by this Court while disposing of

CRM-M-33161 of 2020 on 03.11.2020 (O&M); the role attributed to the petitioner is much less as such she be also granted that concession on any terms and conditions which may be imposed by the Court.

Learned State counsel as well as learned counsel for the complainant have vehemently opposed the petition but I find that considering the fact that main accused Khushwant Singh to whom injury under Section 326 IPC had been attributed has been granted regular bail by a coordinate Bench of this Court, the same concession deserves to be given to the present petitioner. Accordingly, the petition is accepted. Petitioner Simranjit Kaur is ordered to be released on bail on her furnishing bail bond and surety bond to the satisfaction of the learned trial Court/CJM/Duty Magistrate, Sirsa subject to the following conditions :-

- (i) she shall appear in the Court on each and every date of hearing.
- (ii) she shall not give any threat or intimidation to the prosecution witnesses.
- (iii) she shall not leave India without prior permission of the Court and shall surrender her Passport, if she has got one, otherwise to furnish affidavit in that regard.

In case the petitioner violates any term and condition on which the bail has been granted to her, the prosecution/complainant would be entitled to apply for cancellation of bail.

(H.S. MADAAN)
JUDGE

January 25, 2021
p.singh

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No