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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M No.2701 of 2021 (O&M)
Decided on: 21.01.2021

Nasib Kaur @ Baldev Kaur

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR JUSTICE ARVIND SINGH SANGWAN

Present : Mr. G.S. Sidhu, Advocate
for the petitioner.

ARVIND SINGH SANGWAN, J. (Oral)

Prayer in this petition is for grant of anticipatory bail to the petitioner under Section 438 of the Code of Criminal Procedure (in short 'Cr.P.C.') in FIR No.31 dated 07.02.2019, for offence punishable under Sections 323, 307, 34 of the Indian Penal Code, 1860 (in short 'IPC') registered at Police Station City Mandi Dabwali, District Sirsa.

Counsel for the petitioner has argued that the petitioner is a 66 years old lady and is suffering from age related multiple health problems. It is further submitted that the petitioner was found innocent and has been later on, summoned under Section 319 Cr.P.C.

Counsel for the petitioner has relied upon the order dated 30.10.2020 passed in CRM-M No.34493 of 2020, vide which the co-accused of the petitioner namely Jangir Kaur, has been granted the concession of anticipatory bail as it is stated that the petitioner is ready to face the trial and will not challenge the summoning order under Section 319 Cr.P.C.

CASE HEARD THROUGH VIDEO CONFERENCING

Notice of motion.

Mr. Sumit Jain, Addl. AG, Haryana who is present in the Court through video conferencing accepts notice on behalf of the respondent – State.

Counsel for the State has not disputed the factual position but opposed the prayer for bail.

Without commenting anything on merits of the case, considering the role and age of the petitioner and also the fact that the co-accused of the petitioner has already been granted the concession of anticipatory bail; she is suffering from multiple health problems and was found innocent, this petition is allowed and the petitioner is directed to appear before the trial Court within a period of 15 days from today and she shall be released on bail subject to her furnishing bail/surety bonds to the satisfaction of the trial Court/Illaq Magistrate/Duty Magistrate.

However, it will be subject to a condition that the petitioner will face the trial and will not challenge the summoning order.

(ARVIND SINGH SANGWAN)
JUDGE

21.01.2021

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Whether speaking/reasoned

Yes/No

Whether reportable:

Yes/No