

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

(Sr. No. 237)

**CRM-M No. 3008 of 2021
Date of decision : 23.08.2021**

Bhupinder Kaur

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM : HON'BLE MR. JUSTICE DEEPAK SIBAL

Present : Mr. Amit Dhawan, Advocate for the petitioner.
Mr. Jagmohan S. Ghumman, DAG, Punjab.
Mr. Amit Jhanji, Senior Advocate with
Mr. Shashank Sharma, Advocate for the complainant.

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DEEPAK SIBAL, J. (Oral)

The matter has been taken up through video conferencing.

The present petition has been filed under Section 438 Cr.P.C.
for the grant of anticipatory bail in FIR No. 287 dated 27.12.2020 registered
under Sections 325, 451, 323, 506, 34 IPC (Section 308 IPC added later on)
at Police Station Kartarpur, district Jalandhar Rural.

Briefly stated, the case of the prosecution is that while the complainant-Kamaljit Kaur and her husband-Daljit Singh were present at their tubewell, the petitioner, along with her son-Manpreet Singh @ Mandeep Singh @ Sonu and husband-Sukhwinder Singh, came there; the petitioner who was armed with a *datar* gave blows with the same from its reverse side on the right eye of Daljit Singh as also on his face/teeth; co-accused Manpreet Singh @ Mandeep Singh @ Sonu also gave wooden log blows on Daljit Singh's head and right thigh; co-accused Sukhwinder Singh also gave a spade blow on Daljit Singh's right leg and when hue and cry

was raised by the complainant party, the petitioner along with his co-accused fled the scene.

Learned counsel for the petitioner argued that the petitioner has been falsely implicated in this case at the behest of the complainant with whom the petitioner and her family have a land dispute; the complainant party was the aggressor; the petitioner has no criminal antecedents and that it was the petitioner who had been given a head injury by the complainant and her husband-Daljit Singh and that even if the case of the prosecution is taken as the gospel truth, though vehemently denied, the injury attributed to the petitioner is a simple injury.

Learned State counsel very fairly submitted that under the interim orders passed by this Court, the petitioner has joined the investigation and that her custodial interrogation is not required by the State.

For the reason that the petitioner is a 47 year old lady; has joined the investigation; her custodial interrogation is not required by the State and because the injury attributed to her is a simply injury, the present case is considered fit one for the grant of anticipatory bail to the petitioner. Accordingly, the interim order of this Court dated 22.01.2021, granting ad interim anticipatory bail to the petitioner is made absolute.

23.08.2021*Jyoti I***(DEEPAK SIBAL)
JUDGE**

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No