

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

**CRM-M No.12122 of 2021
Date of Decision :02.11.2021**

Jaswant Kaur

.....Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR.JUSTICE ARUN PALLI, JUDGE

Present : Mr.Sukhdev Singh Khokher, Advocate for the petitioner.

Mr. Amit Mehta, Sr. DAG, Punjab.

(The aforesaid presence is being recorded through video conferencing
since the proceedings are being conducted in virtual Court)

ARUN PALLI, J. (Oral):

Vide this petition under Section 438 of Cr.P.C. the petitioner prays for anticipatory bail in FIR No.67 dated 22.08.2020, under Sections 323, 324, 148, 149 of IPC and Section 326 of IPC was added subsequently, registered at Police Station Bholath, District Kapurthala.

Upon hearing the learned counsel for the petitioner on 26.08.2021, this Court had granted interim bail to the petitioner:-

“This is a petition filed under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No. 67, dated 22.8.2020 registered under Sections 323, 324, 148, 149 IPC (Section 326 IPC added later on) at Police Station Bholath, District Kapurthala.

FIR was registered on the complaint of one Manpreet Singh who stated that on 14.8.2020, his brother

Gurwinder Singh had gone to purchase a bottle of beer where he had an altercation with Rahul who was working in said vend. On 15.8.2020, Gurwinder Singh went to house of Rahul to take his money. There, an unidentified person was standing who chased Gurwinder Singh with a datar. Gurwinder Singh managed to escape. At about 6.00 pm, Rahul, Jaswant Kaur (petitioner) and 2 more unidentified persons came to motor. Rahul identified Gurwinder Singh and stated that he was to be killed. Thereafter, Rahul went back. Meanwhile, Avinash armed with sword, Abhi armed with datar, Deepu and some other persons armed with datars, kirpans, rods and baseballs came there. Jaswant Kaur (petitioner) raised lalkara and Avinash is alleged to have given 3 kirpan blows one of which hit on left side of head of Gurwinder Singh. Other 2 kirpan blows hit on left wrist and right wrist of Gurwinder Singh. Petitioner is alleged to have given a datar blow which hit on left shoulder of Gurwinder Singh. It is alleged that unidentified persons gave blow with their respective weapons. On noise being raised, accused ran away.

Learned counsel for petitioner has stated that injury attributed to petitioner is simple injury. He has argued that petitioner is a lady. Besides injury, she has been attributed lalkara. Petitioner undertakes to cooperate in investigation.

Adjourned to 2.11.2021.

In the meanwhile, in the event of arrest of petitioner, she shall be released on interim anticipatory bail to the satisfaction of Arresting Officer/Investigating Officer. She will join investigation as and when called for and cooperate in same. She will abide by conditions of Section 438 (2) Cr.P.C.”

Learned State counsel, on instructions from ASI Manjit Singh, submits that pursuant to the order dated 26.08.2021 (ibid) the petitioner had joined the investigation and is co-operating with the investigating agency. It is urged that he is no longer required for any custodial interrogation.

In the wake of the above, the order dated 26.08.2021, is made absolute.

However, the petitioner shall abide by the conditions stipulated under Section 438(2) Cr.P.C. and shall join the investigation as and when called upon to do so.

The petition is accordingly disposed of.

(ARUN PALLI)
JUDGE

02.11.2021
Manoj Bhutani

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