

CRM-M-13012-2021

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

CRM-M-13012-2021

Date of decision:12.11.2021

Paramjeet Kaur

...Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Rahul Sharma-I, Advocate,
for the petitioner.

Mr. Harpreet Singh Multani, AAG, Punjab.

Mr. Tarundeep Kumar, Advocate for
Mr. D.S.Pheruman, Advocate,
for the complainant.

HARNARESH SINGH GILL, J. (ORAL)

Through this petition, the petitioner seeks anticipatory bail in case bearing FIR No.129 dated 13.11.2020, registered at Police Station Sekhwan, Batala, District Gurdaspur, under Sections 302, 307, 506, 148, 149 and 120-B IPC and Section 27 of the Arms Act, 1959 (offences under Sections 148 and 149 IPC have been deleted later on and Sections 323 and 34 IPC and Section 25 of the Arms Act, 1959, have been added later on).

Short reply dated 01.11.2021, by way of affidavit of the Deputy Superintendent of Police, Homicide and Forensic Batala, filed in the Registry, is taken on record.

Learned counsel for the petitioner contends that the petitioner, who is a house wife, has falsely been implicated simply to rope in all family members of the main accused. The learned counsel further contends that as per the prosecution version, the petitioner had given a stick blow,

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but the said injury is not made out in the medical record.

On the other hand, learned State counsel assisted by the learned counsel for the complainant submits that the petitioner had been specifically named in the FIR and was holding a stick in her hand. However, it is not disputed that co-accused, Hardeep Kaur stands enlarged on anticipatory bail, vide order of the even date passed in CRM-M-8763-2021.

I have heard the learned counsel for the parties.

After hearing the learned counsel for the parties, this Court finds that the petitioner is not required for custodial interrogation, and therefore, no useful purpose would be served by sending her to custody.

Keeping in view the facts and circumstances of the present case and without expressing any opinion on the merits of the case, this Court finds merit in this petition and the same is allowed. The petitioner is directed to join the investigation as and when called upon to do so and if she is sought to be arrested, she shall be released on anticipatory bail to the satisfaction of Investigating Officer/Arresting Officer, subject to the conditions as envisaged in Section 438 (2) of the Code of Criminal Procedure.

It is made clear that if pursuant to and in compliance with this order, the petitioner does not cooperate with the investigating agency, the investigating agency would be liberty to move an appropriate application for cancellation of bail.

12.11.2021

parveen kumar

(HARNARESH SINGH GILL)
JUDGE

Whether reasoned/speaking?

Yes/No

Whether reportable?

Yes/No