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IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CRM-M No.24322 of 2021  
Date of Decision: 02.07.2021

SEEMA @ SARABJIT KAUR

.....Petitioner

Vs

STATE OF PUNJAB

.....Respondent

**CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH**

Present: Mr. Amandeep Saini, Advocate  
for the petitioner.

Mr. Sandeep Kumar, D.A.G., Punjab.

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**RAJ MOHAN SINGH, J.(Oral)**

The case has been taken up for hearing through video conferencing.

Petitioner seeks grant of regular bail under Section 439 Cr.P.C in case bearing FIR No.208 dated 30.09.2020, registered under Sections 302, 148, 149, 120-B IPC at Police Station Khilchian, District Amritsar.

FIR was registered at the instance of complainant Parkash Singh with the allegations that his son Gurpreet Singh was serving in Indian Army. There was some matrimonial issue with his wife. On 28.08.2020, Gurpreet Singh came on leave. At that time his wife Sukhpreet Kaur was at village Khilchian. He

went to village Khilchian in the night. Brother-in-law of the complainant namely Mohinder Singh @ Kaku told the complainant on telephone that Gurpreet Singh has conveyed to Paramjit Singh that his wife Sukhpreet Kaur, brother-in-law Abba, mother-in-law Balwinder, uncle Ghallat and aunt Seema @ Sarabjeet Kaur (petitioner) have beaten him badly and his condition was not good due to internal injuries. He was locked in the room. Complainant asked Mohinder Singh to reach there and the complainant along with his brother-in-law Sukhwinder Singh were going village Khilchian on motorcycle. On the way, they took Hardev Singh, Mohinder Singh and Rajveer Singh along with them. Paramjit Singh and his wife had already reached village Khilchian and they met the complainant along with Gurpreet Singh. At that time condition of Gurpreet Singh was very bad as he was beaten. Gurpreet Singh told the complainant that Sukhpreet Kaur was asking him to transfer the house in her name. On that pretext the accused party gave beatings to Gurpreet Singh.

The part attributed to the petitioner is that she was also present amongst the accused persons, but no weapon was shown in her hands. The allegations are that all the accused gave injuries to Gurpreet Singh and also dragged him. Son of the complainant got signs of injuries on his left ear, right ankle,

left arce (Ark) on the finger of right hand. He was feeling pain in his private part while discharging urine. At that time, it was considered to take police help, but Gurpreet Singh refused to inform the Police. Keeping in view the relationship between him and the accused party, he conveyed that they will sit together for a talk. The complainant and Gurpreet Singh came to village Killa Desa Singh. Gurpreet Singh stayed in the night in her maternal house. On 29.08.2020, the application was made to the Police. The Police informed that they will call the opposite party and the matter will be heard.

On 31.08.2020, Gurpreet Singh returned from his maternal house. On 02.09.2020 in the night at about 4.00 A.M., brother-in-law of the complainant namely Mohinder Singh @ Kaku informed the complainant on telephone that Gurpreet Singh was not feeling well and he was not in a speaking condition and they were in the process of taking him to the Hospital at Fatehgarh Churian. The complainant along with his wife Sarbjit Kaur and Mangu son of Mukha of his village reached at Fatehgarh Churian. On the Ravidas Chowk brother-in-laws of the complainant namely Hardev Singh, Mohinder Singh and Balwinder Singh met the complainant and they informed him that Gurpreet Singh was hospitalized in Mahajan Hospital at Fatehgarh Churian and he has died.

Bare perusal of the FIR would show that name of the petitioner was shown without there being any specific attribution to her. Petitioner is a lady and is aunt of wife of the deceased. Petitioner is in custody since 15.01.2021. FIR has been registered after more than one month of the occurrence.

Learned State counsel on instructions from the ASI Baldev Singh however opposed the bail on the ground that the petitioner was member of the assailant-party, who collectively inflicted injuries on the person of deceased Gurpreet Singh. Petitioner is related to the deceased being aunt of wife of the deceased. Challan has been presented.

Having heard, learned counsel for the parties, I am of the view that petitioner being a lady can be released on regular bail particularly when she has not been attributed any specific injury, nor any weapon has been shown with her. The deceased was having some indifferent relation with his wife.

Looking to the aforesaid facts and in view of the situation arising out due to COVID-19 pandemic and without adverting to the merits of the case, I deem it appropriate to enlarge the petitioner on regular bail.

In view of above, petition is allowed. Petitioner is ordered to be released on bail, subject to her furnishing

adequate bail bonds/surety bonds to the satisfaction of the trial Court/concerned Duty Magistrate.

Nothing expressed hereinabove would be construed to be an expression of any opinion on merits of the case.

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|---------------------------|-------------------|
| July 02, 2021             | (RAJ MOHAN SINGH) |
| <i>Atik</i>               | JUDGE             |
| Whether speaking/reasoned | Yes/No            |
| Whether reportable        | Yes/No            |