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

(Through video-conferencing)

**CRM-M No.24493 of 2021
Date of Decision: 29.07.2021**

PUSHPA DEVI

.....Petitioner

Vs

STATE OF HARYANA

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Naresh Kumar Ganga, Advocate
for the petitioner.

Mr. Anant Kataria, D.A.G., Haryana.

RAJ MOHAN SINGH, J.(Oral)

Petitioner is a lady aged 48 years. She seeks grant of regular bail under Section 439 Cr.P.C in case bearing FIR No.143 dated 10.05.2021 registered under Sections 323/452/307/34 IPC (Section 307 IPC added later on) at Police Station Ellenabad District Sirsa.

FIR was registered at the instance of Sandeep Singh with the allegations that on 07.05.2021, he was at home at about 9.00 P.M. House of Vinod is situated in front of house of the complainant. Complainant has some money transaction with Vinod as he has to give some money to him. Complainant told

Vinod that he would give Rs.2,000/- within 2 to 4 days. On this subject Vinod and his mother started abusing the complainant and his family. The complainant asked Vinod not to abuse him by coming to his house. He opened the gate of his house. Vinod came inside with a brick in his hand and hit the brick on the head of the complainant. Two boys were also accompanying Vinod and they also gave kicks and fist blows to the complainant. On raising alarm, mother of the complainant Kuldeep Kaur, father Balwinder Singh and elder brother Kawaljit Singh attracted to the spot and they saved the complainant from three assailants. Mother of Vinod namely Pushpa gave fist blow to the mother of the complainant and also gave abuses while standing at the gate of house of the complainant. With these allegations, the FIR came to be registered.

Learned counsel for the petitioner submitted that the only part attributed to the petitioner is fist blow to the mother of the complainant along with some abuses. Petitioner has not given any injury to the complainant.

Learned State counsel however opposed the bail on the ground that the petitioner along with her son committed house trespass and thereafter son of the complainant and two other companions inflicted injuries to the complainant resulting in grievous injuries and the injury has been declared to be

dangerous to life. The challan has been prepared on 28.07.2021 and the same is still to be filed in the Court.

Keeping in view the role attributed to the petitioner i.e. fist blow to the mother of the complainant and particularly in view of the situation arising out due to COVID-19 pandemic, I deem it appropriate to enlarge the petitioner on regular bail, who is in custody since 14.06.2021, without meaning anything on the merits of the case,

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.

July 29, 2021

Atik

Whether speaking/reasoned

Whether reportable

(RAJ MOHAN SINGH)
JUDGE

Yes/No

Yes/No