

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH

CRM-M No.24680 of 2021 (O&M)

Date of Decision:06.08.2021

(Heard through VC)

Gurmit Kaur

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Nikhil Kumar Vashisht, Advocate
for the petitioner.

Ms. Rashmi Attri, AAG, Punjab.

Mr. Sarju Puri, Advocate
for the complainant.

JAISHREE THAKUR, J. (ORAL)

This is second petition that has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in case FIR No.124 dated 02.07.2020 under Sections 341, 307, 452, 354, 323, 148, 149 IPC registered at Police Station Garshankar, District Hoshiarpur.

Counsel for the petitioner herein would contend that the only allegation raised in the FIR pertaining to the petitioner is of slapping and giving danda blows to the mother of the complainant. It is argued that as per medical report available, alleged injuries as has been inflicted upon the mother of the complainant are simple in nature. It is further argued that other co-accused have already been arrested and the petitioner, who has not been attributed any grievous injury would be entitled to anticipatory bail.

Learned counsel appearing on behalf of the respondent-State and the complainant urge that 10 persons including the petitioner herein entered into the premises of the complainant and caused grievous injuries to the

complainant. It is submitted that even though brick blow on head of the complainant is attributed to Jarnail Singh, Gurmit Kaur was very much a part of the unlawful assembly within the house of the complainant. Three people were injured namely the complainant Amrit Pal, his mother and the sister. As per the MLR as available on record, 23 injuries have been inflicted upon the injured persons. It is also argued that second anticipatory bail application is not maintainable by relying upon the judgment rendered by the Hon'ble Supreme Court in **G.R. Ananda Bau Vs. State of Tamil Nadu and another** passed in Crl Appeal No.84 of 2021 on 28.01.2021.

Faced with this situation, counsel appearing on behalf of the petitioner seeks to withdraw the instant petition with the prayer that the petitioner herein will surrender before the Illaqa Magistrate/Duty Magistrate and her bail application may be considered expeditiously.

In view of the statement made by the counsel for the petitioner, the instant petition is dismissed as withdrawn. Arrest of the petitioner is stayed for 10 days in order to enable her to surrender before the Illaqa Magistrate/Duty Magistrate within a period of 10 days from today and thereafter in case any regular bail application is preferred, it shall be considered expeditiously, preferably within 10 days. Needless to say that in case the petitioner does not surrender within the specified time period, interim protection granted to her will be deemed to be vacated.

(JAISHREE THAKUR)
JUDGE

August 06, 2021
Pankaj*

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No