

214 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-28675-2021
Decided on : 18.11.2021

Hardeep Kaur

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Ms. Puja Chopra, Advocate
for the petitioner.

Ms. Gaganpreet Kaur, AAG, Haryana.

Manjari Nehru Kaul, J.

The present petition has been filed under Section 438 Cr.P.C., for grant of anticipatory bail to the petitioner in case FIR No.91 dated 30.04.2021 under Sections 323, 354, 308, 506, 148, 149 IPC 1860 (Sections 324, 326 and 354-B IPC added later on) registered at Police Station Babain District Kurukshetra.

Learned counsel for the petitioner states that the petitioner has since joined the investigation in compliance of order dated 23.07.2021, which was passed in the following terms:

“Learned counsel for the petitioner contends that in the occurrence in question both the sides received injuries at the hands of each other, however, for reasons best known to the investigating agency, they failed to take into account their version even though it was supported by MLRs of co-accused, which clearly reflected that they had received injuries in the occurrence in question. Still further, it was the complainant party, who initiated the occurrence in question and were aggressors. In support of her contention, she has invited the attention of this Court to

Annexures P-6 to P-8, which are MLRs of co-accused. It has also been contended that even otherwise, the petitioner, who is a lactating mother, having three small children, was allegedly armed with a danda at the time of the alleged occurrence and no specific injury had been attributed to her in the the FIR.”

Learned State counsel on instructions from ASI Kailash Kaur states that the petitioner is not required for custodial interrogation.

In view of the above, the petition is allowed and interim order dated 23.07.2021, is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C.

18.11.2021
sonia

(MANJARI NEHRU KAUL)
JUDGE

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