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

CRM-M No. 29355 of 2020
Date of Decision: 25.01.2021

Sarabjit Kaur

-Petitioner

Vs

State of Punjab

-Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Liaqat Ali, Advocate,
for the petitioner.
Ms. Monika Jalota, D.A.G., Punjab.
Mr. Nikhil K. Vashisth, Advocate,
for the complainant.

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.0136 dated 16.07.2020 under Section 306 IPC (Offence under Section 3 of Scheduled Caste & Scheduled Tribes (Prevention of Atrocities) Act added later on) registered at Police Station Nakodar Sadar, District Jalandhar Rural.

Petitioner is the aggrieved party who had filed complaint before the Gram Panchayat against the deceased Rajni which ultimately resulted in initiation of proceedings by the Gram Panchayat.

The complaint was filed against Rajni @ Rajji (since deceased) wife of Nikka Ram on 30.06.2020. On the aforesaid complaint, the Gram Panchayat summoned both the parties for amicable resolution of the dispute.

During meeting, Rajni became aggressive and caught hold of the petitioner by hair in the presence of members of the Gram Panchayat and other residents of the village. Co-accused Karamjit Singh came forward to separate the petitioner and the deceased Rajni. The deceased slapped said Karamjit Singh due to which his turban got removed and he fell down. Thereafter, Rajni while throwing slippers towards office bearers left the spot and she also hurled abuses against all the office bearers of the Gram Panchayat.

After 02 days of the said occurrence, the Gram Panchayat unanimously passed a resolution on 03.07.2020 in respect of aforesaid occurrence dated 01.07.2020 and recommended appropriate action to be taken against Rajni for insulting the office bearers of the Gram Panchayat and also bringing the Gram Panchayat into disrepute. The resolution was forwarded to Block Development and Panchayat Officer, Block Nakodar for taking appropriate action in the matter. The resolution was signed by all the office bearers of the Gram Panchayat including the petitioner. The deceased in order to save her skin also filed a complaint before Senior

Superintendent of Police, Jalandhar (Rural) which was marked for inquiry to the concerned police post.

During inquiry, both the parties were summoned by Incharge, Police Post on 14.07.2020. The parties could not arrive at any amicable settlement and the police again summoned them for 16.07.2020, but the deceased Rajni committed suicide in the morning of 16.07.2020.

Petitioner is in custody since 27.07.2020.

Challan has already been presented, but charges have not been framed.

Owing to the situation arising out of pandemic COVID-19 and without meaning anything on the merits of the case, I deem it appropriate to enlarge the petitioner on regular bail.

In view of above, the petition is allowed. Petitioner is directed to be released on regular bail, subject to her furnishing adequate bail bonds/surety bonds to the satisfaction of trial Court/concerned Duty Magistrate.

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

25.01.2021
Jyoti Sharma

(RAJ MOHAN SINGH)
JUDGE

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| 1. | Whether speaking/reasoned | : | Yes/No |
| 2. | Whether reportable | : | Yes/No |