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IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CRM-M No.36097 of 2020

Date of Decision: 17.03.2021

MOHINDER KAUR

....Petitioner

Vs

STATE OF PUNJAB

....Respondent

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

Present: Mr. Chandan Singh Rana, Advocate  
for the petitioner.

Mr. Sukhbeer Singh, A.A.G., Punjab.

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

Petitioner seeks grant of regular bail under Section 439 Cr.P.C in case bearing FIR No.180 dated 03.06.2018 registered under Sections 302/307/506/427/148/149/120-B IPC (Act No.45 of Year 1860) at Police Station Sidhwan Bet District Ludhiana Rural.

FIR was registered at the instance of Sukhwinder Singh with the allegations that he got married with Mandeep Kaur. After his marriage, Rachpal Singh son of Dilawar Singh gave threats of killing him on account of love marriage solemnized with Mandeep Kaur. Complainant and Mandeep Kaur went to the house of in-laws from village Talwada on a motorcycle. When they were coming back to their house, then all of sudden Rachpal Singh, Mandeep Singh @ Monu, Dilawar Singh, Baltej

Singh, Bachan Singh, Giani, Gora, Jassa, Buta Singh and petitioner (Mahender Kaur) along with 5-6 other unknown persons duly armed with kirpans, gandasa and wooden sticks came in front of the motorcycle. The said persons were identified by the complainant in the headlight of the bike/motorcycle. Rachpal Singh @ Pala raised a *lalkara* that the complainant should not be allowed to go back and be taught a lesson for getting married with Mandeep Kaur. The complainant took u-turn and ran away from the spot. Thereafter, he made a call to his father Malkit Singh and told him the occurrence. Father of the complainant assured him that he would go along with Jeet Singh, Prem Singh and Rinku. After sometime, father of the complainant along with other persons came on their motorcycles. Thereafter father of the complainant informed the complainant that they have reached at the spot and he should come back. When the complainant came back, he saw that Dilawar Singh, Rachpal Singh @ Pala, Mandeep Singh, Gora, Jassa, Buta Singh, Sonu, Baltej Singh, Bachan Singh, Giani and the petitioner were carrying weapons in their hands and were giving injuries to the father and uncle of the complainant with their respective weapons. On account of injuries, Jeet Singh (uncle of the complainant) died.

Learned counsel for the petitioner submitted that no specific role is attributed to the petitioner except to allege her

presence at the spot, which would remain debatable during trial. Petitioner is a lady and is in custody since 21.11.2019. Challan has been presented, but charges have not been framed yet.

The factual details of the case are not in dispute, however learned State counsel opposed the bail on the ground that the petitioner was also a member of unlawful assembly and the incident has resulted in the death of Jeet Singh and grievous injuries to the father of the complainant.

The role attributed to the petitioner would remain debatable. In view of status of the trial and custody of the petitioner, at this stage, 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.

**(RAJ MOHAN SINGH)**  
**JUDGE**

March 17, 2021

*Atik*

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No