

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM- M- 44303 of 2020(O&M)
Date of Decision: 19.02.2021

Rajbir Kaur alias Rajni

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present:- Mr. Varinder Kumar Sandhir, Advocate, for the petitioner.
Mr. Rana Harjasdeep Singh, DAG, Punjab
Mr. Ritesh Pandey, Advocate, for the complainant.

Amol Rattan Singh, J. (Oral)

Case heard by video conferencing.

By this petition, filed under the provisions of Section 438 of the Cr.P.C, the petitioner seeks the concession of 'anticipatory bail', upon FIR no.324, dated 05.12.2020, having been registered at Police Station Sadar, Amritsar, alleging therein the commission of an offence punishable under Section 304 of the IPC.

Though notice had been issued on the previous date of hearing, the petitioner had not been admitted to interim bail by this court in view of the allegation against her.

Learned counsel for the petitioner had argued that with the MLR not showing any serious injury at all that could possibly lead to the death of the deceased, on account of such injury inflicted by the petitioner, she deserves to be admitted to bail.

Learned counsel for the complainant, on the other hand, had wished to place on record a video recording of the body of the deceased, to show the number of injuries on her.

Today that video recording has been put up to this court, and after having perused it, there seems to be extensive bruises on her stomach and some on her neck, with a very deep and wide injury in the knee region.

Though learned counsel for the petitioner submits that the MLR does not talk of any bruises, and in fact with the death having taken place allegedly 7 days after the alleged incident, no injury can be attributed to the petitioner, in my opinion, that contention cannot be accepted for the purpose of this petition at least.

Consequently, finding no ground to admit the petitioner to anticipatory bail, this petition is dismissed.

However, no observation made either in this order or any other previous order, would affect the merits of the case, which obviously would be considered as per evidence gathered and thereafter led before the trial court if it comes to that stage, and further, if the petitioner is arrested and files any petition under the provisions of Section 439 of the Cr.P.C., such petition would be decided wholly on its own merits.

19.02.2021
vcgarg

(AMOL RATTAN SINGH)
JUDGE

Whether reasoned/speaking: Yes
Whether reportable: No