

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

CRM-M-1280 of 2022

Date of decision: 18.01.2022

Kirna Devi

Petitioner

Versus

State of Punjab

Respondent

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Deepanshu Mehta, Advocate for the petitioner.
Mr. Sandeep Kumar, DAG, Punjab.

AVNEESH JHINGAN, J (Oral):

Due to COVID-19 situation, the Court is convened through video conference.

This petition under Section 439 Cr.P.C. is filed seeking regular bail in FIR No. 42 dated 6.8.2021, under Sections 307, 323, 341 read with Section 34 IPC (Section 302 IPC added later on), registered at Police Station Ahmedgarh City, District Sangrur.

On 6.8.2021, a medical ruqa was received from Sood Hospital, Ahmedgarh regarding admission of Ramesh Kumar due to burn injuries. Statement of the victim was recorded by Judicial Magistrate Ist Class. As per the statement, the victim had undertaken a repair job at the place of Vicky and there was balance payment of Rs.250/-. When he went to collect the same, wife of Vicky and his sister-in-law Kirna Devi (petitioner) said that the amount being charged is on the higher side and gave beatings with fists and chappals. He returned back and at 9.30 PM, Vicky came outside his house, dragged him to the fields, poured petrol on him and set on fire. The victim succumbed to the burn injuries.

Learned counsel for the petitioner submits that it is a case of

false implication, the petitioner was not present at the spot, she has been roped in being sister-in-law of Vicky and even as per the statement made by the victim, the allegations are against Vicky.

Learned counsel for the State submits that there is loss of human life, there are serious allegations, the role attributed to the petitioner is that she gave beatings to the victim with fists and chappals and the ultimate incident of burning was continuation of the earlier incident.

Considering that the allegations against the petitioner are of giving blows with fists and chappals, she was not present at the spot, as per the statement of the victim the allegation of setting on fire is on Vicky, no recovery is to be made from the petitioner, the petitioner is in custody since 16.8.2021 and conclusion of trial is likely to take time, the petitioner is granted bail subject to her furnishing bail bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.

The petition is allowed.

It is clarified that observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

[AVNEESH JHINGAN]
JUDGE

18th January, 2022
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1. Whether speaking/ reasoned	:	Yes /No
2. Whether reportable	:	Yes /No