

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-24004-2022 (O&M)
Date of Decision:-17.10.2022

Jasbir Kaur ... Petitioner

Versus

State of Punjab ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Amit Arora, Advocate for the petitioner.

Ms. Swati Batra, DAG, Punjab,
assisted by ASI Rajpal Singh.

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner has approached this Court seeking grant of anticipatory bail in respect of a case registered vide FIR No.68, dated 13.4.2022, Police Station City City Tarn Taran, District Tarn Taran, under Sections 323, 325, 452, 506, 380, 34 of Indian Penal Code.
2. At the time of issuance of notice of motion, the following order was passed on 30.5.2022:

“The petitioner seeks grant of anticipatory bail in respect of a case registered vide FIR No.68 dated 13.04.2022 at Police Station City Tarn Taran, District Tarn Taran, under Sections 323/325/452/506/380/34 IPC.

The FIR in question was lodged at the instance of Hardip Singh, wherein it is alleged that on 06.04.2022 at about 11.00 AM, when

he was present in his house, then Sukhdev Singh armed with iron pipe, Harpreet Singh armed with hockey stick and Jasbir Kaur (petitioner) armed with iron rod entered into the house. The role attributed to the petitioner is that while entering into the house, she raised a lalkara exhorting her companions to teach the complainant a lesson for quarreling with them. Later she is also alleged to have given a blow with iron rod on the head of the complainant. Harpreet Singh is stated to have given a blow with hockey stick on the right hand of the complainant and also on the left hand of the complainant and also on the left temple of the complainant. Sukhdev Singh is alleged to have given a blow with iron pipe hitting the left foot and ankle of the complainant.

Learned counsel for the petitioner submits that she has falsely been implicated in the present case and that since two other identically situated co-accused have already been granted bail, the petitioner also deserves the same concession on grounds of parity particularly keeping in view the observations recorded in paras 6 & 7 by the Court of Sessions in its order dated 13.05.2022 (Annexure P-1). It has been submitted that in any case the injuries alleged would fall within the mischief of Sections 323 & 325 IPC and that in any case, the petitioner being a lady deserves the concession of bail.

Notice of motion for 17.10.2022.

Meanwhile, in the event of arrest, the petitioner be released on interim bail subject to her furnishing personal bonds and surety bonds to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join investigation as and when called upon to do so and cooperate with the Arresting/Investigating Officer and shall abide by the conditions as provided under Section 438(2) Cr.P.C.”

3. Learned State counsel, upon instructions from ASI Rajpal Singh, has informed that pursuant to interim directions, the petitioner has since joined

investigation and she is not required for any custodial interrogation. Learned State counsel has informed that the petitioner is not involved in any other case.

4. Having regard to the aforestated position, wherein the petitioner is stated to have joined investigation and is not required for any custodial interrogation and she is not stated to be involved in any other case, the petition is accepted and the interim directions issued by this Court vide order dated 30.5.2022 are hereby made absolute, subject to the condition that the petitioner shall join investigation as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438(2) Cr.P.C.

17.10.2022

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(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No