

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

CRM-M-29031-2022

Date of Decision:- 15.11.2022

SUKHJINDER KAUR

....Petitioner.

Vs.

STATE OF PUNJAB

...Respondent.

CORAM:- HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present:-

Mr. Neeraj Jain, Advocate for the petitioner.

Mr. Kunwarbir Singh, Asstt. AG, Punjab.

Mr. Dinesh Kumar, Advocate for the complainant.

AMARJOT BHATTI, J. (Oral)

The petitioner has filed the instant petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.05 dated 04.01.2022 under Sections 323/148/149 IPC and Sections 365/379-B IPC (added later-on) registered at Police Station Lambi District Sri Muktsar Sahib (Punjab).

The brief facts of the case are that:

Present FIR has been got registered on the statement of Surinder Kaur, who stated that on the day of occurrence i.e. 03.01.2022 at about 2:30 PM she was present in the House when she received call from Jagmeet Singh to collect Rs.2,00,000/- from his house. She reached the house of Gurmeet Singh and kept the money in the hand bag and was returning home when she reached near the house of Gurmeet Singh then suddenly Sukhjinder Kaur, Himmatpal Singh and Karna Singh, Shivraj Singh and Sukhraj Singh came out and caught hold of her. She raised

alarm, on this Sukhjinder Kaur closed her mouth. She was forcibly taken in the house of Sukhjinder Kaur by abusing her. Karna, Shivraj and Sukhraj left the house whereas Sukhjinder Kaur along with her daughter and son caught hold of her arms and Sukhjinder Kaur forcibly snatched cash of Rs.2,00,000/- lying in her hand bag and Himmatpal Singh snatched her gold nose pin and gold chain. She was beaten up with *dhanda*. In the meantime many persons living in the neighbourhood gathered there including Jagmeet Singh and a video was also prepared. Sukhjinder Kaur and others were not ready to leave her and after about one hour the police of Police Chowki Killianwali reached there and rescued her from the clutches of the accused Sukhjinder Kaur. With these allegations present FIR has been registered.

Learned counsel for the petitioner argued that the allegations against Sukhjinder Kaur are false. She is ready to join the investigation and even ready to return the money and gold ornaments. The other co-accused were granted bail by Ld. Additional Sessions Judge Sri Muktsar Sahib vide order dated 30.06.2022 and the bail application of the present petitioner is on the same footing. It is prayed that her anticipatory bail may be allowed.

The bail application is opposed by the counsel representing the State. It is argued that the main allegations are against the present petitioner Sukhjinder Kaur. Recovery is yet to be effected. The complainant was beaten up and as per the MLR she had suffered 5 injuries. She was rescued by the police. Considering these facts the petitioner is not entitled to the concession of anticipatory bail.

I have considered the facts of the case and the arguments advanced before me. It is rightly pointed out by the learned counsel representing the

State that the main allegations are against Sukhjinder Kaur as narrated above. So far as the Himmatpal Singh, Gurmeet Kaur other accused are concerned they are minors and were granted anticipatory bail by the learned Additional Sessions Judge Sri Muktsar Sahib vide order dated 30.06.2022. Their bail application was on different footing. As per the facts narrated above, the complainant was beaten up and confined in the house of the petitioner and was ultimately rescued by the police. The petitioner is yet to join the investigation. The recoveries are yet to be effected. In case the petitioner is released on anticipatory bail it will adversely effect the investigation of the case.

Considering these facts I do not find it a fit case for anticipatory bail and the same is accordingly declined.

15.11.2022
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(AMARJOT BHATTI)
JUDGE

Whether the speaking/reasoned:- Yes/No

Whether the reportable:- Yes/No