

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

CRM-M-35463-2022 (O&M)

Date of decision: 27.09.2022

Surjit Kaur

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Sultan Singh Gill, Advocate for the petitioner.

Mr. Prateek Sodhi, Advocate for the complainant.

Mr. Joginder Pal Ratra, Sr. DAG Punjab.

HARNARESH SINGH GILL, J. (ORAL)

CRM-28753-2022

Application is allowed as prayed for.

CRM-34627-2022

Application is allowed as prayed for. Annexure P-3 is taken on record.

Main case:

Through the instant petition under Section 438 Cr.P.C., the petitioner seeks anticipatory bail in case FIR No. 102 dated 31.12.2021 registered under Sections 302, 341, 148, 149 IPC, at Police Station Bhindi Saidan, District Amritsar Rural.

Learned counsel for the petitioner submits that the occurrence took place on 13.12.2021 and the FIR was registered on 31.12.2021, thus,

there is a delay of 17 days in lodging of the FIR; that earlier, Baldev Singh (since deceased), father of the complainant, had entered the house of the petitioner; that the petitioner has falsely been implicated in the present case; that as per the FIR, the petitioner was empty handed and only *lalkara* has been attributed to her and that the deceased sustain injuries after falling from the motorcycle.

I have heard the learned counsel for the parties and have also gone through the documents on record.

Perusal of the record would show that the petitioner was a member of unlawful assembly and the *lalkara* raised by the petitioner instigated other accused to cause injuries on the person of Baldev Singh. As such the petitioner is equally liable for the commission of the offence.

Considering the nature of the allegation contained in the FIR, the custodial interrogation of the petitioner is necessary to excavate the truth, which are serious in nature. Hence, the petitioner does not deserve the concession of anticipatory bail.

In view of the above, the present petition is dismissed.

(HARNARESH SINGH GILL)
JUDGE

27.09.2022

Mangal Singh

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No