

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

CRM-M-56627-2022 (O&M)
Date of Decision:-12.12.2022

Sim Kaur @ Simarjeet Kaur

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Madhur Singh, Advocate for the petitioner.

Mr. Siddharth Attri, AAG, Punjab,
assisted by ASI Vakil Chand.

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner seeks grant of regular bail in respect of a case registered vide FIR No.137, dated 17.5.2021, Police Station Sadar Mansa, District Mansa, under Sections 324, 341, 506, 34 of Indian Penal Code, wherein offence under Section 326 IPC was added later on.
2. As per the allegations levelled in the FIR, lodged at the instance of Sonu Singh, on 15.5.2021 the complainant's neighbour Sim Kaur came to their house and requested complainant's father to accompany her as she had some urgent work. Upon such request, having been made by Sim Kaur, complainant's father accompanied Sim Kaur. When the complainant's father and Sim Kaur reached in front of the house of Sim Kaur, complainant saw that Gurwinder Singh armed with an 'axe' and Harpreet Singh who was

empty handed were present there. Sim Kaur exhorted the aforesaid two persons to teach complainant's father a lesson and pursuant to which Gurwinder Singh is alleged to have given a blow with 'axe' on the head of the complainant's father. Upon an alarm being raised by complainant's father, the said persons ran away from the spot.

3. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case and that, in any case, even if all the allegations as levelled in the FIR are taken to be correct, the petitioner is not attributed any injury and is stated to have raised a '*lalkara*' only exhorting the co-accused to inflict injuries. Learned counsel for the petitioner has further submitted that since the petitioner has been behind bars for a substantial period of more than 1 year and 4 months, she deserves the concession of bail.
4. Opposing the petition, learned State counsel has submitted that the petitioner had played a pivotal role inasmuch it was she, who had called the complainant's father from his house and had taken him along so as to facilitate the co-accused to inflict injuries to him. Learned State counsel has, however, informed that the petitioner as on date has been behind bars since the last 1 year and 4 month and that she is not involved in any other case. It has also been informed that as on date 5 PWs out of the cited 13 PWs have been examined.
5. This Court has considered the rival submissions.
6. Having regard to the fact that the petitioner is a lady and is attributed a '*lalkara*' only and is not stated to have inflicted any injury and otherwise has a clean record, further detention of the petitioner will not serve any useful

purpose as conclusion of trial is likely to consume time inasmuch as only 5 PWs out of the cited 13 PWs have been examined so far. The petition, as such, is accepted and the petitioner is ordered to be released on regular bail on her furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

12.12.2022

pankaj

**(Gurvinder Singh Gill)
Judge**

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No