

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

CRM-M No.7411 of 2023 (O&M)

Date of decision : 16.02.2023

Rajwant Kaur

..... Petitioner

versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR.JUSTICE PANKAJ JAIN

Present :- Ms. Anupam Bhanot, Advocate
for the petitioner.

Mr. Sehajbir S.Aulakh, Asstt. A.G., Punjab.

PANKAJ JAIN, J. (ORAL)

This second petition has been filed under Section 439 Cr.P.C. for grant of regular bail in FIR No.176 dated 07.08.2021 registered under Sections 302, 452, 34 IPC (Section 325 IPC added later on) at Police Station Gharinda, District Amritsar.

The matter relates to an occurrence wherein husband of the complainant died. As per the allegations levelled in the FIR, it was alleged as under :-

“Statement of Simranjit Kaur wife of Karandeep Singh Caste Ramdassie resident of Lahorimal Police Station Gharinda aged about 22 years Mobile No 6280713573 Stated that I am resident of the above mentioned address and doing the household work and today On 06.08.2021, in the evening hours near our house in the house of my paternal uncle in-law namely Amarbir Singh son of Mohinder Singh resident of Lahorimal loud noise was heard being taken place and upon hearing this noise. I and my husband Karandeep Singh went away to the house of my paternal uncle in-law then it would be at around 9 PM, when Jaspinder Singh alias Happy son of Surinder Singh, Ravinder Singh alias Bau son of Surinder Singh alias Sukhwinder Singh alias Bog son of Surinder Singh and Rajwant Kaur wife of Surinder Singh residents of Lahorimal who were carrying bricks and brickbats in their hands on the roof

of the house entered in the house of my paternal uncle in-law Amarbir Singh from the stairs and just after coming the Jaspinder Singh alias Happy raised a lalkara that catch teach them a lesson for getting a false case registered of theft against us, the in the meanwhile Ravinder Singh alias Bau with the brick carried in his hand hit the same directly to my husband Karandeep Singh which hit the Forehead (Purhparhi) and the remaining persons namely Jaspinder Singh alias Happy, Sukhwinder Singh alias Bog and Rajwant Singh also started throwing the bricks- brickbats carried in their respective hands and these bricks-brickbats hit on the various parts of the body of my paternal uncle in-law Amarbir Singh and his son Jobanpreet Singh on account of sustaining injury in the head of my husband Karandeep Singh who fell down on the ground. I raised the alarm "Marta- Marta then these assailants upon hearing my alarm fled away from the spot. In the meanwhile Manjinder Singh son of Jasbir Singh resident of Lahorimal also came at the spot. The motive behind said occurrence is that some time ago a case FIR No 147 dated 25.06.2021 offence under Section 457, 380 of IPC was registered at Police Station Ghrinda against above mentioned Jaspinder Singh alias Happy and Jaspinder Singh was doubting the fact that they have got registered this case by way of saying and I after making arrangement of a conveyance after having been accompanied with Manjinder Singh son of Jasbir Singh resident of Lahorimal got admitted her husband Karandeep Singh paternal uncle in-law Amarbir Singh and brother in-law Jobanpreet Singh at Surinder Hospital Amritsar where my husband Karandeep Singh died while going in the way and my paternal uncle in-law namely Amarbir Singh and brother in-law Jobanpreet Singh after having been given medicines were discharged from the hospital and we brought back the dead body of my husband Karandeep Singh at the house and now I left my paternal aunt in-law namely Manjit Kaur wife of Amarbir Singh near the dead body of my husband alongwith Manjinder Singh son of Jasbir Singh resident of Lahori Mal was on the way to report the matter and met you on the way."

Learned counsel for the petitioner submits that as per the statement suffered by Simranjit Kaur-the complainant though the petitioner had been attributed brick bat but not on the person of the deceased.

I have heard learned counsel for the petitioner and have gone through the records of the case.

The matter relates to an occurrence wherein the complainant party

while the complaints were standing in the street. Admittedly, the petitioner was present on the scene and there are allegations that she was also hurling brick bats on the complainant party.

In view of the aforesaid fact it will be too early in the day for this Court to hear specific role attributed to the petitioner and hold that the allegations would not make out a case against her.

Keeping in view the allegations levelled against the petitioner, no ground for regular bail is made out.

Consequently, the same is dismissed.

(PANKAJ JAIN)
JUDGE

16.02.2023

Pooja sharma-I

Whether speaking/reasoned	Yes
Whether Reportable :	No