

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

210

CRM-M-17640-2023

Date of decision: 07.08.2023

Jaswinder Kaur @ Jassi

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Arvind Kr. Sharma, Advocate
for the petitioner.

Mr. Amit Rana, Sr. DAG, Punjab.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of anticipatory bail under Section 438 of the Cr.P.C. in case FIR No. 11 dated 18.02.2023 under Sections 323, 324, 307, 341, 148, 149 IPC and Under Section 302 IPC added later on registered at Police Station Noor Mahal, District Jalandhar Rural, Punjab.

2. On 05.05.2023, while noticing the following submissions made by the learned counsel for the petitioner, a Coordinate Bench of this Court had granted the concession of interim bail to the petitioner and asked her to join investigation:-

“Learned counsel for the petitioner has submitted that the petitioner’s name was surfaced at the instance of Manpreet Singh @ Annu. As per the allegations, the complainant saw that his uncle Chamkaur Lal s/o Daulat Ram (deceased) and Sushil Kumar s/o Avtar Chand, r/o Village Pasla were coming to their house on motor-cycle after doing their work, accused Jimmi s/o Bittu armed with Khanda, his father Bittu armed with Dattar, further brother of Bittu namely Rummi who was sitting in the car, Sheela s/o Bittu armed with bat, Gopi s/o Vijay armed with Kirpan, Rohit @ Golu s/o Chhinder Pal armed with Kirch,

all resident of village Pasla, Deepa R/o Kandola Khurd armed with bat, Baljinder S/o Balbir Ram, r/o Danduwal armed with Dattar and further some other unknown persons who stopped the motor-cycle of uncle Chamkaur Lal and then they started beating him. Jimmi accused gave Khanda blow on the head of Chamkaur Lal with the intention to kill him, Bittu accused gave Dattar blow hitting on the left wrist and Sheela accused gave bat blow on his head, Gopi accused gave Kirpan blow hitting on right wrist. Rohit accused gave Kirch blow on his chest and uncle fell down on the ground in a pool of blood. Thereafter, accused Deepa and Baljinder also caused other injuries on the person of uncle. Sushil Kumar S/o Avtar Chand tried to save the life of uncle, but they also caused injuries on his person. On raising hue & cry by the complainant & injured Sushil Kumar the accused persons ran away from the spot alongwith their respective weapons.”

3. Learned counsel for the petitioner submits that in compliance of order dated 05.05.2023, the petitioner has joined investigation and cooperated with the investigating agency.

4. Learned State counsel, on instructions from ASI Jugraj Singh, does not dispute the factum of the petitioner having joined investigation and cooperated with the investigating agency. He, however, submits that there were allegations levelled against the petitioner of having instigated the co-accused to inflict injuries on the person of the complainant.

5. In view of the above, the petition is allowed and interim order dated 05.05.2023, is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C.

07.08.2023

(MANJARI NEHRU KAUL)
JUDGE

Vinay

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No