

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M- 24977 - 2023

Decided on : May 22, 2023

Krishna and another

..... Petitioners

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE NAMIT KUMAR

Present: Dr. Ajaymeet Singh , Advocate with
Ms. Anmol, Advocate
for the petitioners.

Mr. Jashanpreet Singh, DAG, Punjab.

NAMIT KUMAR, J. (Oral)

1. Petitioners have filed the instant petition under Section 439 Cr.PC seeking regular bail in case FIR No.17 dated 14.01.2023 under Sections 307/331/353/186/149 of IPC, 1860 registered at Police Station City Faridkot, District Faridkot (Annexure P-1).

2. The brief facts of the prosecution case are that the complainant, a police official, visited the spot after getting a complaint from one Shanti Devi regarding indulgence of certain children in a fighting incident. The complainant ASI Iqbal Chand reached at the spot, where the accused namely Karan, Kaku, Bobby, Gurpreet Singh @ Dhudi, Rohit Chacha along with 5-6 unidentified persons were already present there and on seeing the police, the group of accused raised exhortations to teach a lesson to them. The accused - Karan was holding an interlock tile and he gave blow of the tile on the head of the complainant-police official with intention to kill him. The accused Gurpreet Singh @ Dhudi pushed the complainant-police official to ground and he was assaulted by other accused

and his uniform was torn. After a companion of complainant-police official namely PHG Surjan Singh raised alarm for help, he was also assaulted by the accused. Thereafter, the complainant-police official was brought to the hospital for treatment.

Based upon such allegations, the police registered a formal FIR under Sections 307, 331, 353, 186, 149 IPC. During investigation, one ASI Thana Singh made statement that he was also accompanying the complainant ASI Iqbal Chand to the place of occurrence and he revealed that certain ladies were also accompanying the group of the accused. He further disclosed that three ladies including Rajni Rani and the petitioners - Kiran and Krishna blocked the police vehicle at the time of incident. Based on such revolution, the petitioner and her companions were nominated vide DDR entry no.66 of 14.01.2023 and she was formally arrested on 25.01.2023.

3. Learned counsel for the petitioners *inter alia* submits that the petitioners are ladies and have been falsely implicated in the present case. He further submits that petitioners were not named in the FIR but were nominated as an accused on the statement of ASI Thana Singh, which was recorded vide DDR No.66 dated 14.01.2023. He further submits that the only allegation against the petitioners is that the petitioners along with other women tried to block the way of the police by standing in front of the vehicle of the police and interfered in the working of the police. He submits that petitioners are in custody since 25.03.2023 and not involved in any other case. He further submits that other co-accused namely Gurpreet Singh @ Dhudi has already been granted anticipatory bail vide order dated 02.03.2023 (Annexure P-3) passed by this Court and the co-accused namely Rajni Rani has also been enlarged on regular bail vide order dated 04.05.2023 (Annexure P-4). He further submits that investigation in the present

case is complete; *Challan* has been presented; charges have been framed and out of total 23 prosecution witnesses none has been examined and the case is now fixed before the trial Court on 13.07.2023. He further submits that trial may take a considerable time to conclude and therefore, no fruitful purpose would be served by detaining the petitioners further behind bars.

4. *Per contra*, learned State counsel, while placing on record, custody certificates, opposes the prayer for grant of regular bail to the petitioners. However, he could not dispute that the petitioners are not involved in any other case; investigation in the present case is complete; *Challan* has been presented; charges have been framed and out of total 23 prosecution witnesses none has been examined; the co-accused have already been enlarged either on regular or anticipatory bail and the petitioners are in custody for 01 month and 27 days.

5. I have heard learned counsel for the parties and perused the record.

6. Keeping in view the custody of the petitioners, which is about 02 months; investigation is complete; *Challan* has been presented; charges have been framed and out of 23 witnesses, no prosecution witnesses has been examined; petitioners are not involved in any other case and trial is likely to take a considerable time, however, without commenting upon the merits of the case, the petitioners are ordered to be released on regular bail during trial on his furnishing bail bonds/surety bonds to the satisfaction of Illaqa Magistrate/Trial Court.

7. The petition stands disposed off accordingly.

May 22, 2023
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(NAMIT KUMAR)
JUDGE

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