

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-944-2024
DECIDED ON: 15.01.2024

GEETA

.....PETITIONER

VERSUS

STATE OF PUNJAB

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Vaibhav Narang, Advocate for the petitioner.

Mr. Anmol Singh Sandhu, AAG Punjab.

SANDEEP MOUDGIL, J (ORAL)

1. The jurisdiction of this Court has been invoked under Section 439 Cr.P.C., seeking regular bail to the petitioner in FIR No.235, dated 10.12.2023, under Sections 307, 332, 353, 186, 224, 225 and 506 of IPC, 1860, registered at Police Station Gate Hakima, District Police Commissionerate Amritsar.
2. Learned counsel for the petitioner contends that the petitioner is a handicap and even as per the authorization of the FIR (Annexure P-1), it is evident that she was not able to walk properly being handicap by legs, who uses a walker to move around and, therefore, the allegations made in the FIR are totally false qua her.
3. Learned State counsel has filed the custody certificate of the petitioner, which is taken on record. According to the custody certificate, the petitioner is behind the bars for the last 1 month and 3 days. He opposes the prayer for grant of regular bail on account of the fact that the petitioner has made an attempt to manhandle the police personnel and in that scuffle has also torn off the uniform of one of the police official.

4. Considering the physical condition of the petitioner, who is not even able to walk properly and even as per the version narrated in the FIR, there is no iota of truth available in the allegations levelled against her, which seems to be only a ploy used by the prosecution to pressurize the family for nabbing the name of culprit i.e., brother of the petitioner namely Nanak Singh, this petition deserves to be allowed.

5. In the light of above, the petitioner is directed to be released on regular bail on her furnishing bail and surety bonds to the satisfaction of the Trial Court/Duty Magistrate, concerned.

6. The present petition is, hereby, allowed.

7. However, it is made clear that anything stated hereinabove shall not be construed as an expression of opinion on the merits of the case.

15.01.2024

Meenu

(SANDEEP MOUDGIL)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>