

**S. No.224**

**2024:PHHC:044024**

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

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**CRM-M-7821 of 2024 (O&M)**

**Date of Decision:02.04.2024**

**Amarjit Kaur**

**.....Petitioner**

**Vs.**

**State of Punjab**

**.....Respondent**

**CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA**

**Present:-** Mr. Achin Gupta, Advocate and Mr. Harpreet Singh,  
Advocate for the petitioner.

Mr. G.P.S. Bhullar, AAG, Punjab.

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**DEEPAK GUPTA, J. (Oral)**

By way of present petition filed under Section 439 Cr.P.C., petitioner prays for grant of regular bail in case FIR No.126 dated 18.08.2022 registered under Sections 302/308/323/34 IPC (charges framed under Sections 302/307/323/34 IPC) at Police Station Sadar Faridkot, District Faridkot.

FIR was lodged on the complaint of Gogi Singh alias Ghuggi alias Gora, as per which on 17.08.2022 at about 08:00 PM, he and his brother Sohan Singh, were waylaid by co-accused Harpal Singh, Satpal Singh, Beant Singh and petitioner - Amarjit Kaur. One of the tyres of their hand cart ran over the complainant's foot. As he objected and rebuked Harpal Singh, said Harpal Singh along with his family members became furious and picked up toki from the cart. Beant Singh picked Bahi of the cot, Satpal Singh lifted a dang and petitioner – Amarjit Kaur picked a wooden stick. It is alleged that Harpal Singh exhorted the others to teach a lesson and then as Sohan Singh came forward and intervened, Harpal Singh gave blow with blade of toki on the head of Sohan Singh due to which he started bleeding, who later expired. Later on, petitioner and others are

attributed to have given injuries to complainant – Gogi Singh alias Ghuggi alias Gora.

It is contended by learned counsel that no injury whatsoever is attributed to the petitioner to have been caused to the deceased – Sohan Singh, who had expired later on. The only injury attributed to the petitioner is with a stick on left cheek of complainant Gora. Learned counsel for the petitioner has also placed on record copy of the Medico Legal Report pertaining to complainant - Gogi singh alias Ghuggi alias Gora as per which there is no injury on his left cheek, though there is an injury on his right cheek but learned counsel contends that even that injury was simple in nature.

Learned counsel also contends that the petitioner is in custody for the last more than 01 year 07 months; that she is a woman and not involved in any other case, and so in all these circumstances, she be allowed bail.

Short reply by way of affidavit of Shamsheer Singh, PPS, Deputy Superintendent of Police, Sub Division Faridkot, District Faridkot has been filed on behalf of the respondent- State, along with the custody certificate.

Learned State Counsel has opposed the bail petition. However, it is conceded that as per the FIR version, it is only co-accused Harpal Singh, who is attributed to have given injuries to the deceased- Sohan Lal. It is also informed by learned State Counsel that injured – Gogi Singh alias Ghuggi alias Gora has already been examined, during trial.

As per the custody certificate placed on record, petitioner is in custody for the last 01 year 07 months and 14 days.

Learned State Counsel also informs that out of 23 witnesses cited by the prosecution, only 02 have been examined so far and thus, trial is likely to take long time to conclude.

Having regard to all the afore-said facts and circumstances of the case, particularly the role attributed to the petitioner; the fact that she is a woman; that trial is likely to take long time but without commenting anything further on the merits of the case, present petition is allowed. Petitioner is admitted to bail on her furnishing bail bonds and surety bonds to the satisfaction of learned trial Court/ Duty Magistrate concerned, on usual terms and conditions.

April 02, 2024  
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( DEEPAK GUPTA )  
JUDGE

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|---------------------------|--------|
| Whether Speaking/reasoned | Yes/No |
| Whether Reportable        | Yes/No |