

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-10264-2024 (O&M)

Date of Decision: 01.03.2024

Lovepreet Kaur ...Petitioner

Versus

State of Punjab ...Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Mr. Kanwaljeet Singh Brar, Advocate, for the petitioner.

Mr. Vinay Kumar Malhotra, DAG, Punjab.

FIR No.	Dated	Police Station	Section/s
59	16.08.2023	Singh Bhagwantpura, District Roopnagar	302, 323, 34 IPC

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner seeks grant of regular bail in respect of aforementioned FIR.
2. The FIR was lodged at the instance of Amrik Singh, wherein it is alleged that on account of a dispute regarding construction of ancestral house, his sister-in-law, namely, Sarabjit Kaur raised *lalkara* exhorting her son Gurpreet Singh @ Jaggi, Ranjodh Singh and daughter Lovepreet Kaur to eliminate the complainant and Dalbara Singh (complainant’s brother). It is the case of the prosecution that Sarabjit Kaur, Gurpreet Singh @ Jaggi and Ranjodh Singh took out iron pipes and Gurpreet Singh @ Jaggi inflicted a blow with iron pipe on the head of Dalbara Singh

- (complainant's brother). Ranjodh Singh is stated to have inflicted blows with iron pipe on the legs and arms of Dalbara Singh. Gurpreet Singh @ Jaggi is stated to have given another blow with iron pipe on the head of Dalbara Singh and when the complainant tried to rescue him, then he was pushed by the accused. It is further alleged that Sarabjit Kaur again instigated her sons to eliminate Dalbara Singh and when Dalbara Singh fell down and the complainant was trying to help him, then Sarabjit Kaur and her daughter Lovepreet Kaur inflicted stick blows to the complainant. When the complainant raised alarm, another of his brother, namely, Jarnail Singh reached at the spot so as to help Dalbara Singh, but even Jarnail Singh was manhandled by the accused. It is further alleged that Ranjodh Singh also inflicted a blow with iron pipe on the complainant's right eye. It is further alleged that while Sarabjit Kaur inflicted stick blows to Dalbara Singh, Lovepreet Kaur inflicted stick blows to the complainant.
3. Learned counsel for the petitioner submitted that she is a young girl aged about 23 years and has been falsely implicated on account of a dispute in the family in respect of ancestral house. It has been submitted that even if all the allegations, as leveled in the FIR, are taken to be correct, still the only role attributed to the petitioner is that after the co-accused had inflicted fatal injuries to the deceased with iron pipes, then the petitioner inflicted injury to the complainant with a stick, which is a simple injury.
 4. Opposing the petition, learned State counsel submitted that since the petitioner is specifically named in the FIR and had inflicted injuries to the

- complainant with stick, her complicity is clearly evident. Learned State counsel has, however, informed that the petitioner as on date has been behind bars since the last about 6 months & 16 days and that she is not involved in any other case. It has also been informed that as on date out of cited 17 PWs, 2 PWs have been examined and examination-in-chief of another 3 PWs has been recorded partly.
5. This Court has considered rival submissions.
 6. Without commenting anything as regards the merits of the case, but having regard to the fact that the petitioner is a young unmarried girl and the only role attributed to her is that of inflicting blow with a stick to the complainant only and is not attributed any injury to the deceased, further detention of the petitioner, who otherwise has a clean record, will not serve any useful purpose as the conclusion of trial will take some time. The petition, as such, is accepted and the petitioner is ordered to be released on regular bail on her furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

01.03.2024

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**(GURVINDER SINGH GILL)
JUDGE**

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