



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-30549-2024
Reserved on: 1st July, 2024
Pronounced on 9th July, 2024

Rani Kaur

...Petitioner(s)

Versus

State of Punjab

...Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Sumeet Puri, Advocate for the petitioner.
Mr. A.S. Samra, AAG, Punjab.

MANISHA BATRA, J (ORAL):-

The present petition has been filed under Section 439 of Cr.P.C.
seeking regular bail in the FIR mentioned below:-

FIR No.	Date	Police Station	Sections
225	27.11.2023	Lehra, District Sangrur	341, 323 read with Section 34 of IPC, 1860 (Section 302 of IPC added later on)

2. Brief facts of the case relevant for the purpose of disposal of this petition are that the aforementioned FIR was initially registered under Sections 323 and 341 read with Section 34 of IPC on the basis of statement recorded by the complainant Mandeep Kaur alleging therein that on 25.11.2023, at about 7:30 AM, the petitioner along with her son came in front of her house to tie her cattle. At that time, several monkeys had gathered at the spot. Gurpreet Singh started pushing monkeys towards the



house of the complainant and when her husband objected to the same, then Gurpreet Singh hurled abuses to her and thereafter, opened an attack upon her husband and hit his head with a *tamba*, which he was carrying. On rescue alarm being raised, the petitioner and her son fled away from the spot. The injured was immediately rushed to the hospital by PW-Jagtar Singh who was present at the spot for treatment. She also disclosed that Gurpreet Singh was keeping an evil eye upon her and previously her husband had stopped him from doing so. During the course of treatment, the victim succumbed to his injuries. Offence under Section 302 of IPC was added. Investigation proceedings were initiated. Post mortem examination of the dead body and inquest proceedings were conducted. The petitioner was arrested on 29.11.2023. She moved an application for grant of regular bail which was dismissed by the Court of Learned Additional Sessions Judge, Sangrur.

3. The present petition has been filed by the petitioner on the grounds and it is argued by learned counsel for the petitioner that she has been falsely implicated in this case. Neither any specific injury has been attributed to her nor any motive has been attributed. There is a delay of 58 hours in lodging of the FIR. She is in custody since 29.11.2023. The trial is likely to take time. Therefore, it is argued that she deserves to be extended benefit of bail.

4. *Per contra*, learned State counsel has argued that the allegations against the petitioner are quite serious in nature. She in furtherance of common intention with the co-accused had caused injuries on the person of the victim by accosting him on the fateful day. The investigation has since



been completed. There is nothing on record to show that the trial would take long time. Therefore, it is argued that the petition does not deserve to be allowed.

5. I have heard learned counsel for the petitioner as well as learned State counsel at considerable length and have gone through the record carefully.

6. The petitioner along with her son is alleged to have opened an assault upon the husband of the complainant on 25.11.2023. As per the allegation, she had accosted the victim, whereas her son had struck injuries on the vital part of body of the victim with a *tamba* (wooden stick). The material witnesses are yet to be examined. The apprehension that the petitioner may intimidate the witnesses cannot be stated to be unfounded at this stage. Keeping in view the gravity of the allegations as levelled against the petitioner, the quantum of sentence which the conviction may entail and the attendant facts and circumstances of the case but without meaning to make any comment on the merits thereof, I am of the considered opinion that the petition does not deserve to be allowed. Hence, the same is dismissed.

7. Since the main petition has been dismissed, pending application if any is rendered infructuous.

[MANISHA BATRA]
JUDGE

9th July, 2024
Parveen Sharma

1. Whether speaking/ reasoned	:	Yes / No
2. Whether reportable	:	Yes / No