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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-41171-2024

Date of Decision:- 12.12.2024

Guddi Devi

....Petitioner

Vs.

State of Haryana

...Respondent

CORAM:-HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present:- Mr. A.P.S. Deol, Senior Advocate with
Mr. Himmat Singh Deol, Advocate
for the petitioner.

Ms. Aditi Girdhar, AAG, Haryana.

Mr. Aman Yadav, Advocate for
Mr. Prashant Singh Chauhan, Advocate
for the complainant.

AMARJOT BHATTI, J.(Oral)

Petitioner – Guddi Devi has filed instant petition under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of anticipatory bail in FIR No. 143 dated 18.05.2024 under Section 302/323/34 of IPC, registered at Police Station Bawal, District Rewari (Annexure P-1).

2. As per the facts of case, Balwinder Singh complainant gave his statement that there is a land dispute going on between him and Pawan Singh, who is son of his uncle/*taya*. His brother Deepak age 30 years was residing in Jaipur and was giving coaching. On 16.05.2024, his brother Deepak had a talk with Pawan Singh, as a result, Deepak came to village.

On 17.05.2024, he alongwith his brother Deepak came home. At about

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10:00 pm, they heard noise of motorcycle and saw that Pawan Singh, his son Vishal Singh and Guddi Devi wife of Pawan Singh were outside their house. Vishal Singh was holding a knife. He gave 3-4 blows in abdomen and chest of his brother Deepak. Complainant tried to rescue his brother and on this, Pawan Singh attacked him and caused injury on his face. Guddi Devi gave kick and fist blows. His brother fell on the road. Said assailants ran away from the spot on hearing alarm raised by them. His brother was taken to hospital, who succumbed to injuries during treatment.

3. Learned counsel for petitioner argued that Guddi Devi is falsely implicated in this case. Even otherwise, contents of FIR shows that she is attributed kick blows and fist blows. There is delay in lodging FIR. Petitioner is household lady taking care of physically disabled daughter Raveena, who is 24 years old and she is deaf and dumb by birth. There is nobody to look after the girl. Her photographs are annexed as Annexure P-2. Police has already arrested Vishal Singh and Pawan Singh. She is ready to join investigation as and when required. Therefore, it is prayed that her anticipatory bail petition may be allowed.

4. Bail petition is opposed by learned counsel representing State. Detailed status report has been filed. It is pointed out that in pursuance of order dated 23.08.2024, petitioner has joined investigation. She actively participated in crime alongwith her husband and son. Allegations are specific and serious in nature.

5. I have considered the arguments and have gone through the record carefully. Role of present petitioner will be seen during trial.

Considering the contents of FIR as it is, main allegations are attributed to

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Pawan Singh and Vishal Singh, who are already arrested by police. Present petitioner is a mother of young disabled girl. Considering the aforesaid factual position and without going on merits of case, anticipatory bail petition filed by petitioner Guddi Devi is allowed. She be not arrested. In case of her arrest, she be released on bail to the satisfaction of Arresting/Investigating Officer concerned, subject to condition that petitioner will join investigation as and when required. She will not tamper with or interfere with investigation and will not leave country without prior permission as provided under Section 482(2) of Bharatiya Nagarik Suraksha Sanhita, 2023.

6. Pending miscellaneous application(s), if any, stand disposed of accordingly as well.

12.12.2024*lalit***(AMARJOT BHATTI)
JUDGE**

Whether speaking/reasoned:
Whether reportable:

Yes/No
Yes/No