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

CRM-M-35757-2024

Date of Decision:16.07.2025

SURJIT KAUR

...PETITIONER

VS.

STATE OF PUNJAB

...RESPONDENT

Coram : Hon'ble Mr. Justice N.S.Shekhawat

Present : Mr. Charanpreet Singh, Advocate
for the petitioner.

Mr. I.P.S. Sabharwal, DAG, Punjab.

Mr. Prateek Sodhi, Advocate
for the complainant.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the present petition under Section 439 Cr.P.C. with a prayer to grant regular bail to her in case FIR No.102 dated 31.12.2021, registered under Sections 302, 341, 148, 149 of IPC 1860, Police Station Bhindi Saidan, Tehsil Ajnala, District Amritsar.

2. Learned counsel for the petitioner contends that as per the allegations levelled by the complainant, the petitioner had only exhorted all other co-accused to cause injuries to Baldev Singh, since deceased. Apart from that, no other role has been attributed to the petitioner. Even it has been alleged that injuries in the present case were allegedly caused by Tarsem Masih, Gopi Masih, Ajay Masih and Saleem Masih and the petitioner was only present at the



place of occurrence. Learned counsel further submits that in the present case, the prosecution has relied upon total 21 witnesses, but not witnesses has been examined so far. The petitioner was arrested in the present case on 20.02.2023 and is in custody for the last more than 02 years and 05 months. Learned counsel further submits that the petitioner is a lady and is not in a position to influence the witnesses of the prosecution.

3. On the other hand, learned State counsel assisted by learned counsel for the complainant have vehemently opposed the submissions made by learned counsel for the petitioner on the ground that serious allegations have been levelled against the present petitioner and she does not deserve the concession of bail by this Court.

4. I have heard the learned counsel for the parties and perused the record carefully.

5. In the present case, the petitioner is stated to be in custody for the last more than 02 years and 05 months and it has been alleged that she had exhorted all other co-accused to cause injuries to the deceased. Apart from that no other role has been assigned to her. Thus, the further custody of the petitioner will not serve any useful purpose.

6. Without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail subject to her furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate, concerned.

16.07.2025
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(N.S. SHEKHAWAT)
JUDGE

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