
(2011) 02 P&H CK 0118

High Court Of Punjab And Haryana At Chandigarh

Case No: Criminal Miscellaneous No. M-3988 of 2011 (O and M)

Jasbir Kaur

APPELLANT

Vs

State of Haryana

RESPONDENT

Date of Decision: Feb. 11, 2011

Acts Referred:

- Penal Code, 1860 (IPC) - Section 148, 149, 323, 325, 326

Hon'ble Judges: Alok Singh, J

Bench: Single Bench

Final Decision: Dismissed

Judgement

Alok Singh, J.

Present petition is moved seeking anticipatory bail in case FIR No. 108, dated 10.11.2010, under Sections 148, 149, 323, 325, 326 and 506 IPC, registered at Police Station Babain, District Kurukshetra.

2. The prosecution case in nutshell is that on 10.11.2010 at about 8.30 p.m., Randhir Singh son of Dayal Singh, cousin brother of complainant came to house of complainant on the occasion of 'Bhog of Path', which was being performed there. Randhir Singh had contested the election against Jasbir Kaur for the post of Sarpanch of Gram Panchayat Mandokhra and he had lost the election. Jasbir Kaur came to know that Randhir Singh had come to the house of Gurdial Singh and she asked her husband Jaswant Singh about the arrival of Randhir Singh and they planned that on that day Randhir Singh and Gurdial Singh should be taught a lesson for contesting the election against her. Jasbir Kaur was holding axe in her hand, Jaswant Singh was having an iron pipe and on seeing them, Karamjit Kaur wife of Hakam Singh, Hakam Singh son of Mohinder Singh, Amarjit Singh, Didar Singh and Bala who were having lathies and gandas. Jaswant Singh inflicted injury on right temporal of Gurdial Singh, Amarjit Singh gave 3-4 Saria blows on the legs; Karamjit Kaur inflicted blow with iron pipe on the face of Gurnam Kaur, due to which one teeth came out. Mohinder Kaur Hakam Singh, Mohinder Singh, Sheo Ram and Ram

Kumar started pelting stones and bricks in the courtyard and the stones hit Harjinder Singh, Jasbir Kaur, Jaswant Singh and Karamjit Kaur. In retaliation, Didar Singh and Kali Ram also started pelting bricks and stones from inside, which hit the motorcycle and Mohinder Kaur. Therefore, Gurdayal Singh was taken to CHC Babain by the complainant and his uncle Jarnail Singh from where he was referred to L.N.J.P., Hospital, Kurukshetra and from where he was referred to P.G.I.

3. Learned Counsel for the Petitioner has handed over Photostat copy of the order dated 02.02.2011 passed by Judicial Magistrate First Class, Kurukshetra, which is taken on record.

4. Perusal of the order dated 02.02.2011 passed by Judicial Magistrate First Class, reveals that accused-Petitioner have moved an application before the Magistrate to deposit the weapon of offence before the police.

5. In the opinion of this Court, prima facie it seems that by offering to deposit the weapon used in the offence, Petitioner has confessed her guilt. No case to enlarge the Petitioner on anticipatory bail is made out. Custodial interrogation is required.

Dismissed.