

**IN THE COURT OF MS.LUKHVINDER KAUR DUGGAL,
ADDITIONAL SESSIONS JUDGE, PATIALA.**

*BA No.2157-2024
CNR No.PBPT01-006559-2024
Decided on 12.7.2024.*

Pooja w/o Sukhdeep Singh, r/o Sukhdaspura Mohalla, District Patiala.

.....Applicant-Accused.

Versus

State of Punjab.

.....Respondent.

**FIR No.60 dated 12.5.2024.
Under Section 458/325/323/506/148/149 IPC.
Police Station: Urban Estate Patiala.**

First application for grant of regular bail u/s 483 BNSS.

Present: Sh.A.S.Bindra, Advocate for the applicant-accused,
namely, Pooja,
Sh.Puneet Khanna, learned APP for the State with ASI
Balwinder Singh, No.2070/PTA, PS Urban Estate, Patiala.

ORDER

1. This order of mine shall dispose of interim application filed by the applicant/accused under section 439 of Criminal Procedure Code in case mentioned above.

2. Notice of the bail application was given to the state and Sh.Puneet Khanna, learned APP appeared on behalf of the state. The concerned Ahlmad has reported that no bail application of the applicant is pending or decided regarding the present FIR and as per the Hon'ble High Court site, CRM-M-28979-2024 is pending on 8.7.2024. ASI Balwinder Singh produced the record and has suffered statement that no bail

application of the applicant regarding the present FIR is pending in the Hon'ble High Court, nor any of her bail application has been decided by this Court in the present FIR. He has further stated that the applicant was arrested in the present FIR on 12.6.2024.

3. As per the contents of the FIR, present case has been registered against the applicant and others on the statement and at the instance of the complainant Jaswinder Kaur. She has stated that she is household lady. She has disinherited her daughter Harpreet Kaur and she is residing in her neighbour house of Sunita and she used to do illegal acts by calling the boys from outside. She forbade her daughter from doing such acts, due to which on 11.5.2024 Harpreet Kaur conspired with her companions, namely, Pinki, Tota Shivani and Pooja, to learn a lesson to her. On the midnight of 12.5.2024 at about 1 AM the said girls alongwith two boys, namely, Mani and Moni, who are sons of Sunita, entered her house from the roof through staircase and attacked upon her. Mani and Moni attacked upon her with iron rods and inflicted injuries upon her right, which got fractured. Harpreet Kaur gave fist blows on her nose with the Punch, being carried by her in her hand and blood started oozing out of her nose. One boy, namely, Vishal, gave baseball bat blow on her left hand. Thereafter, all the above named accused gave stick blows to her, while she was lying on earth and when she fell unconscious, all the said accused persons fled away from the spot alongwith their respective weapons, after extending threats to kill her. Thereafter, she was got admitted in Rajindra Hospital, Patiala, for treatment by her daughter-in-law, Amandeep Kaur. The complainant has further prayed for taking action against the accused persons.

4. From the statement of the complainant aforesaid offences were made out against the accused-applicant etc. and accordingly, the present case was registered against them.

5. The learned counsel for the applicant/accused has argued that the accused/applicant is quite innocent and she has been falsely implicated in the present case. He further argued that alleged no recovery is to be effected from the accused/applicant. He further argued that the accused/applicant is in custody since 12.6.2024. The conclusion of trial against the applicant-accused will take time and no purpose will be served by keeping the applicant-accused behind the bars. Lastly, he prayed for releasing the accused-applicant on bail.

6. On the other hand, learned APP for the state has strongly opposed the bail application and argued that the applicant has committed the serious offences in prosecution of common object with other accused persons. He further submitted that the applicant is not entitled to get concession of bail and prayed for dismissal of the bail application.

7. I have heard the learned APP for the State and learned counsel for the accused/applicant and gone through the main file minutely.

8. Heard. Record perused. From the perusal of the record it shows that serious allegations have been levelled against the applicant, that she alongwith other accused persons had attacked upon the complainant at midnight by entering into her house, with intention to kill her. No specific injury to the complainant has been attributed to the applicant-accused. In these circumstances, the criminal liability of the applicant is a matter of trial

and she is already in custody since 12.6.2024. Moreover, in the case conclusion of the trial against the applicant-accused will take sufficient time. As such, no useful purpose will be served by keeping the accused-applicant in custody for indefinite period, except over crowding the jail and burdening the state exchequer with her expenses.

9. Hence, keeping in view the facts and circumstances of the present case and without expressing any opinion on merits of the case, the present bail application is allowed. The applicant-accused is ordered to be released on bail on furnishing bail bonds in the sum of ₹ 70000/- with one surety in the like amount, to the satisfaction of the learned trial Court/ Duty Magistrate, subject to the conditions that;-

- (i) That the applicant shall appear in the Court on each and every date of hearing;
- (ii) That she shall not tamper with the prosecution evidence;
- (iii) That she shall not leave the country without prior permission of the Court.

10. Police record be returned. Bail application file be consigned to record room.

Pronounced in the open
Court on 12.7.2024.
Typed by Brijinder Batish
Stenographer II
** directly dictated.*

(Lukhvinder Kaur Duggal)
Additional Sessions Judge,
Patiala.
UID No.PB0156