



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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CRM-M-38467-2024
Date of decision: September 12th, 2024

Veerpal Kaur
.....Petitioner

Versus

State of Punjab
.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Achin Gupta, Advocate
for the petitioner.

Mr. Navdeep Singh, Deputy Advocate General, Punjab.

Mr. Davinder Singh, Advocate
for the complainant.

MANJARI NEHRU KAUL, J.

Petitioner is seeking the concession of anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS) in case FIR No.123 dated 19.07.2024 under Sections 125/333/115(2)/191(3)/190 of the Bharatiya Nyaya Sanhita, 2023 (BNS) and under Sections 25/27 of the Arms Act, 1959, registered at Police Station Sadar Ferozepur.

2. Learned counsel for the petitioner contends that she has been falsely implicate in the case in hand for allegedly inflicting injuries on the grandmother of the complainant. While drawing the attention of this Court to the FIR, which has been annexed as Annexure P-1, learned counsel submits that a bare perusal of the same reveals that the same is an outcome of strained relations between the parties, who happen to be neighbours. Learned counsel further submits that all the offences are bailable in nature except for offence under Section 333 of the BNS.

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It has been still further submitted that in fact, even offence under Section 333 of the BNS is not made out in the present case as a perusal of the FIR reveals that there was no offence of trespass made out against the petitioner as the occurrence had not taken place inside the house of the complainant but on a street adjoining the house of the complainant. Learned counsel thus, submits that in these circumstances her custodial interrogation would serve no useful purpose

3. *Per contra*, learned State counsel assisted by learned counsel for the complainant, while vehemently opposing the prayer and submissions made by the counsel opposite, has submitted that there are specific allegations against the petitioner of inflicting injuries on the legs of the grandmother of the petitioner with a base ball bat. Learned State counsel has further submitted that we cannot lose sight of the fact that the injured is an elderly lady. The petitioner struck her on the thigh, resulting in a fracture. Considering her age, the injury inflicted could have led to serious repercussions like a femur fracture which at this age can be fatal. It has been submitted that the custodial interrogation of the petitioner is required to identify the five other persons, who are still at large.

4. I have heard learned counsel for the parties and perused the relevant material on record.

5. *Prime facie* there are serious and specific allegations against the petitioner of inflicting multiple injuries on the grandmother of the complainant, who admittedly is an elderly lady, after forming an unlawful assembly. The grandmother of the complainant allegedly



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fractured her thigh in the occurrence in question and the said injury is attributed to the petitioner.

6. In view of the allegations levelled, this Court does not deem it fit to extend the extraordinary concession of anticipatory bail to the petitioner.

7. The instant petition, therefore, stands dismissed.

8. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

September 12th, 2024
Puneet

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned : Yes
Whether reportable : No