



CRM-M-58027-2024

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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

232 CRM-M-58027-2024
Date of decision: 3rd December, 2024

Reeta ...Petitioner
Versus
State of Punjab ...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Subhash Kumar, Advocate for the petitioner.
Mr. A.S. Samra, AAG, Punjab.

MANISHA BATRA, J (ORAL):-

The present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the petitioner seeking grant of regular bail in case bearing FIR No. 170 dated 17.09.2020 registered under Sections 307, 148, 149 and 120-B of IPC, 1860 at Police Station Division No.1, District Jalandhar.

2. Adumbrated facts as emanating from the record are that the aforementioned FIR was registered on the allegations that on 16.09.2020, the complainant was present in his house along with his family members, when the co-accused by forming membership of an unlawful assembly entered therein. They were armed with weapons. The petitioner along with the co-accused Paramjit Kaur also reached there and both of them made an exhortation to not to spare the complainant and his family members. The co-



accused then opened an assault upon the father of the complainant and caused injuries to him and then to the complainant as well. The motive attributed to the petitioner was that a quarrel had taken place between herself and one Ravi Sahota and the complainant had tried to intervene for effecting a compromise. After registration of FIR, investigation proceedings were initiated. The petitioner was arrested on 13.09.2024. She moved an application for grant of regular bail which has been dismissed by the Court of learned Additional Sessions Judge, Jalandhar vide order dated 07.10.2024.

3. The present petition has been filed by the petitioner on the grounds and it is argued by her counsel that she has been falsely implicated in this case. She is in custody since 13.09.2024. Her custodial interrogation is no more required. No specific overt act has been attributed to her. She did not cause any injury to the complainant or her father. As such, it is urged that the petition deserves to be allowed.

4. *Per contra*, learned State counsel who has advance notice of the petition has submitted that the petitioner had formed membership of unlawful assembly with the co-accused and it was in prosecution of common object of that assembly and on the basis of proclamations made by the petitioner that the co-accused had assaulted the victims and caused serious injuries to them. It is submitted that in view of the gravity of the allegations, the petitioner does not deserve to be released on bail.

5. I have heard learned counsel for the petitioner as well as learned State counsel at considerable length and have gone through the record



carefully.

6. The petitioner is alleged to have made an exhortation instigating the co-accused to open an attack upon the complainant and her father and in pursuance of the exhortations so made by the petitioner and by forming membership of an unlawful assembly, the complainant and her father had been injured by the co-accused. The petitioner is in custody since 13.09.2024. Her custodial interrogation is no more required. The co-accused Paramjit Kaur, whose case was on similar footing, has been extended benefit of interim anticipatory bail by this Court. Investigation and trial are likely to take time. Keeping in view the period of incarceration of the petitioner and the role played by her but without meaning to make any comment on the merits of the case, I am of the considered opinion that the petition deserves to be allowed. Hence, the same is allowed and the petitioner is ordered to be released on bail subject to his furnishing personal/surety bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.

7. Since the main petition has been allowed, pending application, if any, is rendered infructuous.

[MANISHA BATRA]
JUDGE

3rd December, 2024

Parveen Sharma

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| 1. Whether speaking/ reasoned | : | Yes / No |
| 2. Whether reportable | : | Yes / No |