



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-60703-2024
Date of Decision:04.12.2024

Avtar Kaur ...Petitioner

vs.

State of Punjab ...Respondent

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

Present : Mr. Gaurav Rana, Advocate
for the petitioner.

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

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the present petition under Section 482 of B.N.S.S with a prayer to grant anticipatory bail to her in a case FIR No. 103, dated 03.11.2024, under Sections 115(2), 117(2), 3(5) of BNS, Sections 118(1), 118(2) of BNS added later on, registered at Police Station Balachaur, District SBS Nagar.
2. Learned counsel for the petitioner contends that it is a case of version and cross-version, in which both the sides had suffered injuries. He further contends that even the cross version (Annexure P-1) has also been registered against the side of the complainant in the shape of GDR No.23, dated 06.11.2024, under Sections 115(2), 118(1), 118(2), 333, 191 (3), 190 of BNS, Police Station Balachaur, District SBS Nagar. Learned counsel further contends that the entire family of the petitioner including his mother, father and son have been falsely implicated in the present case. Even as per the case set up by the

complainant, the petitioner had pushed the complainant and when the complainant fell down on the ground, the petitioner had slapped her. Apart from that, no other role has been attributed to the petitioner. Learned counsel for the petitioner next contends that the petitioner had contested for the post of *Panch* in the elections of Gram Panchayat of Jattpur in the year 2024 and she had lost the election. In fact, the complainant side belongs to the opposite camp and due to said enmity, the petitioner and other family members have been involved by the complainant. He next contends that the even the complainant caught hold of the son of the petitioner namely Onkar Ganger and as per the MLR (Annexure P-2), he had suffered 12 serious injuries on his person. He next contends that the petitioner was shown to be empty handed and no recovery is to be effected from her.

3. On the other hand learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioner on the ground that the petitioner is involved in a serious crime and the present petition deserves to be dismissed by this Court. He next contends that the petitioner was specifically named in the FIR and a role has been assigned to her by the complainant.

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

5. It is not in dispute that a cross version (Annexure P-1) has already been registered against the complainant side, at the instance of the petitioner and her family members. Even both the sides had suffered injuries and the question of aggressor is yet to be determined by the Trial Court. Apart from that, it is also apparent from the record that the son of the petitioner namely Onkar Ganger had suffered 12 injuries, as per the MLR (Annexure P-2).

Further, only allegations against the petitioner is that she had pushed the complainant and when the complainant fell down on the ground , the petitioner had allegedly slapped her and no other role has been assigned to her. Thus, the custodial interrogation of the petitioner may not be required, at this stage.

6. Thus, without commenting on the merits of the case, the present petition is allowed and the petitioner is granted concession of anticipatory bail, subject to the conditions as provided under Sections 482 (2) of B.N.S.S. It will be open for the Investigating Officer to call the petitioner to join the investigation, if so required, by issuing a written notice in this regard and she shall abide by the conditions mentioned in Section 482 (2) of B.N.S.S.

04.12.2024
hitesh

(N.S.SHEKHAWAT)
JUDGE

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