



**211 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-63005-2024

Date of decision : 19.12.2024

Jasveer Kaur

.....Petitioner

versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present :- Mr. Davinder Singh Khurana, Advocate
Mr. Rajeev Kumar Bagoria, Advocate and
Mr. Vipul Babuta, Advocate
for the petitioner.

Mr. J.S. Arora, DAG, Punjab.

RAJESH BHARDWAJ, J. (Oral)

1. Present petition has been filed praying for grant of regular bail to the petitioner in case bearing FIR No. 0077 dated 06.08.2024, for offence under Sections 115(2), 126(2), 351(2), 3(5) of BNS (later on Sections 118(1), 118(2) of BNS, 2023), registered at Police Station City Morinda, District Rupnagar, during the pendency of trial.

2. Succinctly, facts of the case are that the FIR was registered on the statement of Mandeep Singh who is none other than the husband of the petitioner. It was alleged that he was married with Jasveer Kaur (petitioner) however, he took divorce in the year 2016. Thereafter, with the intervention of the respectables, he again married with Jasveer Kaur and they are having son who is three years of age. It was alleged that his wife had relationship with Amritpal and due to the same, she started living with him. On 05.08.2024 at about 10:00 PM, when he was going towards Kharar, Amritpal, his wife Jasveer Kaur and one Nitin came there and they started beating him. Amritpal was armed with kirpan whereas, his wife



Jasveer Kaur and Nitin were armed with dandas. He was caused injuries and later on, he was shifted to the Government Hospital, Sector-32, Chandigarh for the treatment. Request was made to take legal action against the accused. On registration of the FIR, investigation commenced and petitioner was arrested on 28.09.2024. She approached the Court of learned Additional Sessions Judge, Rupnagar praying for the grant of bail. However, after hearing both the sides, finding no merit in the same, learned Additional Sessions Judge, Rupnagar declined the same vide his order dated 26.11.2024. Hence, petitioner is before this Court by way of filing the present petition.

3. Learned counsel for the petitioner has submitted that the dispute between the petitioner and the complainant are totally of matrimonial in nature. He submits that the case has been lodged as an act of vendetta. He further submits that even otherwise, petitioner was allegedly armed with danda and the injuries caused by her are of simple in nature. He has submitted that petitioner has no criminal antecedents and she is behind bars from the date of her arrest. He submits that the challan is filed and thus, in the facts and circumstances of the case, she deserves to be granted regular bail.

4. Learned State counsel however, has submitted that petitioner has played an active role and thus, her complicity is duly proved. He has submitted that the investigation is complete and the challan is presented. It is submitted that petitioner has no criminal antecedents.

5. After hearing counsel for the parties and perusing the record, it is apparent that petitioner is the wife of the complainant. The allegations against her are that she was armed with danda however, as submitted the



alleged injury was found to be simple in nature. Investigation already stands completed and petitioner has no criminal antecedents.

6. The veracity of the allegations would be assessed only after conclusion of the trial and on the appreciation of evidence to be led by both the parties before the trial Court. The trial of the case will take sufficiently long time. Thus, keeping in view the overall facts and circumstances of the case, this Court is of the opinion that learned counsel for the petitioner succeeds in making out a case for grant of regular bail. Accordingly, the present petition is allowed and the petitioner is ordered to be released on bail on her furnishing bail/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate. Nothing said herein shall be treated as an expression of opinion on the merits of the case.

19.12.2024
m.sharma

(RAJESH BHARDWAJ)
JUDGE

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