

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

Date of Decision:21.05.2025

...Respondent

2. Learned counsel for the petitioner contends that the petitioner has been wrongly arrayed as an accused in the present case as unfortunately, she happens to be the sister of Kuldeep @ Lovely, one of the accused in the present case. He further contends that the petitioner was neither present at the place of occurrence nor had caused any injury to anyone. Learned counsel further contends that during the course of investigation, Sujal @ Muchi @ Mushi was arrested on 24.03.2024 and even as per his disclosure statement, no role was assigned to the petitioner. Even it has been alleged that the petitioner had only provided a mobile phone, a sim and a dongle to Kuldeep Singh, her brother after the commission of the crime and had provided shelter to three accused in

the present case. The petitioner was arrested in the present case on 09.12.2024 and is in custody since then. Even challan has already been presented against the petitioner.

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 had provided the mobile phone, a sim and dongle to Kuldeep Singh @ Lovely, the main accused and even provided shelter to the accused, after the commission of crime in the present case. However, he admits that the petitioner was not present at the place of occurrence nor had participated in the occurrence in any manner.

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

5. The petitioner is stated to be in custody since last five months and keeping in view the role assigned to her, the present petition is allowed and the petitioner is ordered to be released on bail subject to her furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate, concerned, subject to the following conditions:-

- (i) The petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case, so as to dissuade her to disclose such facts to the Court or to any other authority.
- (ii) The petitioner shall remain present before the Court on the dates fixed for hearing of the case.
- (iii) The petitioner shall not absent herself from the Court proceedings except on the prior permission of the Court concerned.

- (iv) The petitioner shall surrender her passport, if any, (if already not surrendered), and in case she is not holder of the same, she shall swear an affidavit to that effect.
- (v) The petitioner shall also file her affidavit before the concerned Court, mentioning her ordinary place of residence and number of mobile phone, which shall be used by her during the pendency of the trial. In case of change of place of residence/mobile number, she shall share the details with the concerned Court/learned Trial Court.
- (vi) In case, the petitioner involves in any other criminal activity, during the pendency of the trial, it shall be viewed seriously.
- (vii) The concerned Court may insist on two heavy local sureties and may also impose any other condition, in accordance with law, while accepting the bails bonds and surety bonds of the petitioner.

21.05.2025
hemlata

(N.S.SHEKHAWAT)
JUDGE

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