

2025:PHHC:086223



226 IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

**CRM-M-1541-2025**  
**Date of Decision:16.07.2025**

Gurdeep Kaur ...Petitioner

## Versus

State of Punjab ...Respondent

**CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ**

**Present:** Ms. Pooja Dhingra, Advocate  
for the petitioner(s).

Ms. Simran Gorla, AAG, Punjab.

Mr. Satbir Singh Gill, Advocate  
for the complainant (Through video conferencing).

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**RAJESH BHARDWAJ, J. (ORAL)**

1. Petitioner has approached this Court by way of present petition praying for granting regular bail in case FIR No.32 dated 16.05.2024 under Sections 302/307/323/427/148/149/120-B of IPC, 1860, registered at Police Station Thermal Bathinda, District Bathinda.

2. Succinctly, facts of the case are that the instant FIR was registered on the statement of the complainant Dhira Singh. It has been alleged that on 15.05.2024, he sent his son Khushdeep Singh, aged about 17 years, to the grocery shop. Thereafter, he found that Angrej Singh alias Nikka, Gurtej Singh, Shivraj Singh alias Kala, who are his neighbors, were beating his son Khushdeep Singh. He along with his mother Balvir Kaur reached to the spot and tried to save his son. However, the accused along with Gurdeep Kaur (petitioner) came there and started abusing them. He along with his mother

Balvir Kaur headed for the police station to report the same to the police but they were followed by accused Angrej Singh alias Nikka, Gurtej Singh, Gurdeep Kaur, Resham Singh alias Gora Singh and Manjeet Kaur. They were given injuries by the accused and thus, they fell down from the motorcycle and his mother Balvir Kaur also received injuries. When she was lying on the ground, she was run over by a van driven by accused Nirmaan Singh, which resulted in death of his mother. Request was made to take legal action against the accused. On registration of FIR, the investigation commenced. The petitioner was arrested on 24.05.2024. The petitioner approached the Court of learned Additional Sessions Judge, Bathinda praying for grant of regular bail. However, after hearing both the sides, the learned Court finding no merit in the same, dismissed the bail application filed by the petitioner vide order dated 23.12.2024 (Annexure P-4). Hence, the petitioner has approached this Court praying for grant of bail by way of filing the present second petition.

3. It has been contended by learned counsel for the petitioner that the petitioner is an elderly woman, who has been falsely implicated in the present case only for the reason that she belongs to the family of the other accused persons. She submits that even otherwise the petitioner has been alleged to be member of the unlawful assembly but no specific allegation has been made against the petitioner. Neither the petitioner was alleged to be armed nor she has caused any injury to anyone. She submits that the petitioner has no criminal antecedents. She submits that petitioner is behind bars since the date of her arrest i.e. 24.05.2024 but there is no progress in the trial. She submits that the petitioner has suffered incarceration of 01 year, 01 month and 20 days and she has never been involved in any other case. She submits that in view of the facts and circumstances of the case, the petitioner deserves to be granted bail.

4. Per contra, learned State counsel has opposed the submissions made by counsel for the petitioner. She submits that petitioner along with other co-accused has committed heinous offence. She was the part of the unlawful assembly. She submits that out of 07 accused, 03 accused were found innocent and challan was presented against rest of the accused. On instructions, she submits that investigation is complete, challan has been presented and charges have been framed. She has placed on record the custody certificate of the petitioner and submits that out of total 20 prosecution witnesses, no witness has been examined so far.

5. Learned counsel for the complainant equally opposed the submissions made by the learned counsel for the petitioner. He submits that the petitioner along with other co-accused has committed heinous offence and she does not deserve the concession of bail.

6. After hearing counsel for the parties and perusing the record, it is deciphered that the petitioner has been alleged to be part of the unlawful assembly. She was arrested in the present case on 24.05.2024, however, the prosecution has not examined even a single witness so far. The custody certificate would reflect that the petitioner has suffered incarceration of 01 year 01 month & 20 days as on 15.07.2025. Admittedly, it further reflects that the petitioner has no criminal antecedents.

7. The veracity of the allegations would be assessed only after the conclusion of the trial and on the appreciation of evidence to be led by both the parties before the trial Court. This Court would refrain itself from commenting anything on the merits of the case. The trial of the case will take sufficient long time. Needless to say, that petitioner has fundamental right of speedy trial. Thus, keeping in view the arguments raised by both the sides, this Court is of the opinion that learned counsel for the petitioner succeeds in making out a

case for grant of regular bail to the petitioner.

8.           Accordingly, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate.

9.           Nothing said herein shall be treated as an expression of opinion on the merits of the case.

16.07.2025

Parveen kumar

(RAJESH BHARDWAJ)  
JUDGE

Whether speaking/reasoned :Yes/No

Whether reportable :Yes/No