



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

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CRM-M-9800-2025

Date of decision: 25th February, 2025

Paramjit Kaur

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Ritesh Pandey, Advocate for the petitioner.
Ms. Sakshi Bakshi, Assistant Advocate General, 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. 136 dated 23.10.2024 registered under Sections 109, 111, 308(4) of Bharatiya Nyaya Sanhita, 2023 (for short 'BNS') (Sections 112, 115(5) of BNS and Section 25 of Arms Act, 1959 at Police Station Dera Baba Nanak, Batala District Batala.

2. Adumbrated facts as emanating from the record are that the aforementioned FIR had been registered on the basis of statement got recorded by the complainant Randeep Singh, alleging that on the evening of 23.10.2024, one unknown person had come to his medical shop and had called him outside. When he reached there, the said person took out a pistol and fired a shot with the same, thereby hitting his left thigh. On rescue alarm being raised, he had managed to flee. He alleged that the attack was made to extort money from him as he had been receiving extortion calls. After registration of FIR, investigation proceedings were initiated. During



investigation, the present petitioner and her husband i.e. co-accused Balbir Singh @ Balvir Singh were nominated as accused on the basis of disclosure statement of co-accused Jobanpreet Singh to the effect that the petitioner who is aunt of accused Jeewan Fauji along with her husband had harboured the accused Jobanpreet Singh and had provided logistic support to other accused. The petitioner was arrested and is in custody since 24.11.2024. The co-accused were also arrested. Investigation stands concluded.

3. It is argued by learned counsel for the petitioner that she has been falsely implicated in this case. She was not named in the FIR and has been implicated on the basis of disclosure statement of co-accused Jobanpreet Singh which cannot be considered to be admissible in evidence. No material has been collected to show as to what particular act had been committed by the petitioner which amounted to commission of subject offences by him. The ingredients for commission of offences under Sections 111 and 112 of BNS have not at all been attracted against him. Her further incarceration would not serve any useful purpose. Therefore, it is urged that she deserves to be released on bail.

4. Custody certificate has been filed by respondent-State. Learned Assistant Advocate General, Punjab has argued that there are specific and serious allegations against the petitioner who is aunt of accused Jeewan Fauji who is the kingpin of an organized syndicate for committing offences of extortion etc. She had provided shelter to the main shooter Jobanpreet Singh as well as the main accused and harboured them. She had been willfully assisting in the commission of organized crime. Therefore, it is urged that she does not deserve to be released on bail.



5. I have heard learned counsel for the parties at considerable length and have gone through the record carefully.

6. The petitioner is alleged to be a member of an organized crime syndicate for committing offences of extortion. As per the allegations, she had been providing shelter and logistic support to the co-accused who had been committing offences of extortion and the co-accused Jobanpreet Singh who had fired shot at the complainant in this case, was also given shelter by him. The allegations against the petitioner are based on disclosure statement of the co-accused. It is a debatable question as to whether the ingredients for commission of offences under Sections 111 and 112 of BNS are attracted against him or not. She is in custody since 24.11.2024. Investigation stands completed. Trial is likely take time. Co-accused whose case is on similar footing have since been extended benefit of bail by this Court. Keeping in view the nature of the allegations levelled against the petitioner, the period of incarceration and the attendant facts and circumstances but without meaning to make any comment on the merits of the case, I am of the opinion that the petitioner deserves to be released on bail. Accordingly, the petition is allowed and the petitioner is ordered to be admitted to bail subject to her furnishing personal as well as surety bonds to the satisfaction of learned trial Court/CJM/Duty Magistrate concerned.

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

[MANISHA BATRA]
JUDGE

25th February, 2025

Parveen Sharma

1. Whether speaking/ reasoned

: Yes / No

2. Whether reportable

: Yes / No