

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

CRM-M-15274-2025
Reserved on: 08.07.2025
Pronounced on: 25.07.2025

Paramjit Kaur @ Babli ...Petitioner

Versus

State of Punjab ...Respondent

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Arpinder Singh Sidhu, Advocate
for the petitioner.

Ms. Pooja Nayar Sharma, DAG, Punjab.

ANOOP CHITKARA, J.

FIR No.	Dated	Police Station	Sections
48	12.04.2022	Dirba, District Sangrur	307/326/323/342/506 of IPC and Section 75 of Juvenile Justice Care and Protection of Children Act, 2015

1. The petitioner incarcerated in the FIR captioned above came before this Court under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, [BNSS], seeking regular bail.
2. In paragraph 08 of the bail petition, the accused declares that she has no criminal antecedents.
3. The facts and allegations are being taken from the status report filed by the State, which reads as follows:

“2. That pursuant to the said order, it is submitted that the present FIR No. 48 dated 12.04.2022 u/s 326,323,342,506 IPC and 75 of Juvenile Justice (Care and Protection of Children) Act, 2015 P.S. Dirba (offence u/s 326 IPC was deleted and offence u/s 307 IPC was added later on vide DDR No. 34 dated 20.04.2022) was registered against accused Babli (later on verified as Paramjit Kaur @ Babli) wife of Jagtar Singh resident of Kamalpur, P.S. Dirba, District Sangrur on the basis of statement of Bholi (bhua of victim in relation) wife of Sukhwinder Singh son of Charan Singh resident of Janal, P.S. Dirba to the effect that, her brother Jagtar Singh was earlier married to Paramjit Kaur and from their wedlock, Navjot Kaur (victim) aged about 9 years, was born. Paramjit Kaur died due to T.B. She (complainant) took Navjot Kaur at her home to raise her. Thereafter, Jagtar Singh performed second marriage with Babli (now accused/petitioner).

In November, 2020, on the eve of Diwali festival, Jagtar Singh and his elder brother Pappi Singh brought the victim (from the house of Bholi) with the assurance to send her back after one or two days. When her (complainant's) son Gurpreet Singh went to the house of Jagtar Singh to bring the victim back, Jagtar Singh and his wife Babli asked Gurpreet Singh that since they had no issue, so they would bring up the victim themselves. On 11.04.2022, Gurjinder Kaur, Teacher in Government Primary School, Kamalpur informed her (complainant) that victim had been beaten up badly and had signs of burn on her body and was writhing in pain. Thereafter, she (complainant) along with respectables of the village visited the said school and enquired about the matter from the victim. The victim disclosed that her step-mother Babli gave beatings to her, burnt her with hot iron Chimta. Babli used to give beatings to the victim by covering her mouth with cloth pieces and confining her in a room with the threat that if victim would disclose anything about it, she would eliminate her. The complainant also verified about this and Chhaju Singh her neighbourer corroborated these very facts. Thereafter, she (complainant) brought the victim to her house at village Janal. The statement of complainant Bholi was corroborated by Gurpayar Singh son of Bhura Singh, Gurtej Singh son of Bhura Singh and Sukhminder Singh Chairman Children Welfare, Sangrur. On the basis of said statement of Bholi Kaur, present FIR was registered against Babli above said."

4. The petitioner's counsel prays for bail by imposing any stringent conditions and contends that further pre-trial incarceration would cause an irreversible injustice to the petitioner and their family.
5. The State's counsel opposes bail and refers to the status report.
6. It would be appropriate to refer to the following portions of the status report, which read as follows:

"G. THE EVIDENCE AGAINST THE PETITIONER.

i) the FIR was registered against The present accused/petitioner Paramjit Kaur @ Babli on the basis of statement of Bholi with the allegations that her (victim's) step-mother Babli gave beatings to her, burnt her with hot iron Chimta. Babli used to give beatings to the victim by covering her mouth with cloth pieces and confining her in a room with the threat that if victim would disclose anything about it, she would eliminate her. Chhaju Singh neighbourer of the victim also endorsed this fact.

*ii) On medical examination of victim, the doctor reported 11 injuries inflicted to the victim. On 24.05.2022, report whether the injuries inflicted to the victim can be caused through the hot iron chimta or otherwise, was obtained and the doctor report that, "**the possibility of injuries by the hot tong cannot be ruled out.**"*

iii) That in the statement u/s 164 Cr.P.C. of victim, she specifically mentioned that, my step mother used to beat me by applying hot iron chimta upon me. She used to hit legs blow on my urinal place after putting pieces of cloth into my mouth. Papa used to sleep after drinking alcohol. They didn't say

anything to mom. Mom is my step mother. Now I resides with my aunt (Bhua). My mother used to say that until you will not die, I will treat you like this. She used to close my mouth after putting pieces of cloths in my mouth. When I tried to tell to anybody about this, she used to beat me more. In this way, the petitioner was arraigned as an accused in this case.

H. THE ROLE OF THE PETITIONER

The present was FIR registered against the accused/petitioner Babli (later on verified as Paramjit Kaur @ Babli, present petitioner) on the basis of statement of Bholi. The victim girl was produced before the Court of Ld. SDJM, Sunam and the Ld. Magistrate recorded her statement u/s 164 Cr.P.C, wherein she stated that," My step mother used to beat me by applying hot iron chimta upon me. She used to hit legs blow on my urinal place after putting pieces of cloth into my mouth. Papa used to sleep after drinking alcohol. They didn't say anything to mom. Mom is my step mother. Now I resides with my aunt (Bhua). My mother used to say that until you will not die, I will treat you like this. She used to close my mouth after putting pieces of cloths in my mouth. When I tried to tell to anybody about this, she used to beat me more. When, my teacher saw the injuries sustained to me, they called my aunt (bhua) and sent me with my aunt (bua)." During the course of investigation accused/petitioner Paramjit Kaur @ Babli was arrested and iron chimta used in the crime was recovered from her possession. So, a specific role is attributed to the petitioner in the commission of present offence."

7. There is sufficient prima facie evidence connecting the petitioner with the alleged crime. The crime is heinous, however, pre-trial incarceration should not be a replica of post-conviction sentencing.

8. Per paragraph 3 (d) of the bail petition, the petitioner has been in custody since 12.04.2022. Per the custody certificate dated 07.07.2025, the petitioner's total custody in this FIR is 03 years, 02 months and 24 days.

9. Given the penal provisions invoked viz-a-viz pre-trial custody, coupled with the prima facie analysis of the nature of allegations and the other factors peculiar to this case, there would be no justifiability further pre-trial incarceration at this stage.

10. Without commenting on the case's merits, in the facts and circumstances peculiar to this case, and for the reasons mentioned above, the petitioner makes a case for bail. This order shall come into force from the time it is uploaded on this Court's official webpage.

11. Given above, provided the petitioner is not required in any other case, the petitioner shall be released on bail in the FIR captioned above subject to furnishing bonds to the satisfaction of the concerned Court and due to unavailability before any nearest Ilaqa Magistrate/duty Magistrate. Before accepting the surety, the concerned Court must be satisfied that if the accused fails to appear, such surety can produce the accused.

12. While furnishing a personal bond, the petitioner shall mention the following personal identification details:

1.	AADHAR number	
2.	Passport number (If available) and when the attesting officer/court considers it appropriate or considers the accused a flight risk.	
3.	Mobile number (If available)	
4.	E-Mail id (If available)	

13. This order is subject to the petitioner's complying with the following terms.

14. The petitioner shall abide by all statutory bond conditions and appear before the concerned Court(s) on all dates. The petitioner shall not tamper with the evidence, influence, browbeat, pressurize, induce, threaten, or promise, directly or indirectly, any witnesses, Police officials, or any other person acquainted with the facts and circumstances of the case or dissuade them from disclosing such facts to the Police or the Court.

15. **This bail is conditional, and the foundational condition is that if the petitioner indulges in any non-bailable offense, the State shall file an application for cancellation of this bail before the Sessions Court, which shall have the liberty to cancel this bail.**

16. Any observation made hereinabove is neither an expression of opinion on the case's merits nor shall the trial Court advert to these comments.

17. A certified copy of this order would not be needed for furnishing bonds, and any Advocate for the Petitioner can download this order along with case status from the official web page of this Court and attest it to be a true copy. If the attesting officer wants to verify its authenticity, such an officer can also verify its authenticity and may download and use the downloaded copy for attesting bonds.

18. **Petition allowed** in terms mentioned above. All pending applications, if any, stand disposed of.

(ANOOP CHITKARA)
JUDGE

25.07.2025
Jyoti Sharma

Whether speaking/reasoned: Yes
Whether reportable: No.