

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

2025:PHHC:064132



207

CRM-M-22958-2025 (O&M)

Date of Decision: 14.05.2025.

Balwinder Kaur

...Petitioner.

Versus

State of Haryana

...Respondent.

CORAM: HON'BLE MRS. JUSTICE SUKHVINDER KAUR

Present: Mr. D.S. Virk, Advocate for the petitioner.

Mr. P.S. Pandher, AAG, Punjab.

SUKHVINDER KAUR, J. (Oral)

Present petition has been filed under Section 482 of BNSS, 2023 for grant of anticipatory bail to the petitioner in FIR No.47 dated 23.01.2025, under Section 115, 191(2), 190, 221, 121(1), 132, 126(2), 351(2), 324(4), 296 of BNS, 2023, registered at Police Station Rania, District Sirsa.

Learned counsel for the petitioner has contended that the petitioner was not present at the place of the occurrence and she has not committed any offence, as alleged in the FIR. He further contended that on 22.01.2025, the complainant along with Pala Ram and some other police officials came to the house of the petitioner in civil dress, when petitioner was not at home. They started beating Vijay, son of the petitioner and when Komal, her daughter-in-law tried to intervene, they tore her shirt and thereafter, took away Vijay-son of the petitioner along with them. Thereafter, the present FIR was falsely registered against the petitioner

and the other co-accused. He urged that even after registration of the present FIR, the petitioner has been falsely involved in another case bearing FIR No.53 dated 09.02.2025, registered at Police Station Civil Lines, Sirsa under NDPS Act, in which she was granted regular bail on 10.03.2025 by the Court of learned Additional Sessions Judge, Sirsa. He has further argued that all the offences except under Sections 121(1) and 132 of the BNS, are bailable in nature and all the offences are triable by the Court of Judicial Magistrate Ist Class. He has submitted that the petitioner never assaulted any public servant nor prevented any of them from doing their job, as alleged in the FIR . He has prayed that custodial interrogation of the petitioner is not required and she is ready and willing to join the investigation and this bail application be allowed.

Notice was issued in this case on 30.04.2025 and status report was called from the State, which has been filed today in the Court and is taken on record.

Learned State counsel opposed the bail application and submitted that the petitioner and co-accused opened an attack with sticks and bricks upon the police party, when the police party had gone for conducting raid, on receiving the secret information that the petitioner was coming from Rajasthan with heroin, on a motorcycle with her relative Sandeep.

Heard.

As per the allegations, the petitioner along with her co-accused, encircled the vehicle of the police officials from front and back side and attacked upon them with wooden sticks/dandas, iron rod and bricks and tried to drag them out of vehicle and also broke their vehicle.

No specific injury has been attributed to the petitioner. Co-accused Vijay Singh has already been released on bail vide order dated 03.03.2025 passed by learned Sessions Judge, Sirsa. All the offences in the present FIR are triable by the Court of Judicial Magistrate Ist Class. Custodial interrogation of the petitioner is not required for any purpose and no useful purpose would be served by sending the petitioner behind the bars.

Accordingly, without commenting on the merits of the case, the present petition is allowed. In the event of her arrest, the petitioner is ordered to be released on bail, on her furnishing bail/surety bonds, to the satisfaction of the Arresting Officer/ Investigating Officer, subject to the conditions, as provided under Section 482(2) of BNSS. It will be open for the Investigating Officer to call the petitioner to join investigation, if so required, by issuing a written notice in this regard and she shall abide by the conditions mentioned in Section 482(2) of the BNSS.

(SUKHVINDER KAUR)
JUDGE

14.05.2025.

Komal

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