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

CRM-M-23752-2025 (O&M)

Reserved on : 31.10.2025

Pronounced on : 06.11.2025

Phullo Devi @ Sumitra Devi

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present:- Mr. Sumit S. Bairagi, Advocate
for the petitioner.

Mr. Neeraj Poswal, AAG, Punjab.

MANISHA BATRA, J.

1. Prayer in this petition, filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, is for grant of regular bail to the petitioner in FIR No. 391 dated 02.11.2024, registered under Sections 190, 191(3) and 103(1) of Bharatiya Nyaya Sanhita, 2023 and Section 25 of the Arms Act at Police Station Taraori, District Karnal.

2. The aforementioned FIR was registered on the basis of a complaint submitted by complainant Prince, who is brother of the victim, alleging that on the night of 01.11.2024, on the asking of Sunil, brother-in-law of victim Sunny, the latter had gone to village Takhana, where a dispute was taking place and he had tried to intervene. However, accused Rupesh, Amar, Golu, Pradeep, Rajbala, Bittu, Neeraj and the present petitioner, who were already present there, opened an assault upon Sunny himself. The petitioner along with some other co-accused caught hold of Sunny, whereas co-accused Amar struck blows with a knife to him and the victim had succumbed to is injuries sustained at the hands of the assailants. After registration of the FIR, investigation proceedings were

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initiated. Post-mortem examination of the dead body and the inquest proceedings were conducted.

3. As per the further allegations, the petitioner was joined into investigation on 04.11.2024 and was formally arrested. She was interrogated and suffered disclosure statement to the effect that on the fateful night, an altercation had taken place between her son Amar, his friends and Sunil and his friends. During altercation, she had hit victim Sunny, Rakesh and Sunil by throwing brick bats and stones. She further disclosed that her son Amar had struck blows with a knife, thereby causing injuries to Sunny and he had died. Co-accused were also arrested subsequently. During the course of investigation, CCTV footage of some cameras installed at the place of occurrence had been collected and it was revealed that the petitioner was throwing bricks upon the members of the other party and co-accused had given stab wounds to the victim. Investigation now stands completed.

4. It is argued by learned counsel for the petitioner that she has been falsely implicated in this case. Neither any specific overt act or injury has been attributed to her nor any weapon is alleged to have been used by her. In fact, it was a case of sudden quarrel between the members of both the parties as they were bursting crackers outside in the street and the sparks of one of the crackers had gone to the house of Raj Pal, who had called the victim to fight with the son of the petitioner. The petitioner never intended to kill the victim. She did not play any active role in the occurrence. No recovery has been effected from her. The trial is likely to take considerable time to conclude. She has clean antecedents. Her continued detention would not serve any useful purpose. It is, therefore, urged that the petition deserves to be allowed.

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5. *Per contra*, learned State counsel has argued that the allegations levelled against the petitioner are quite serious in nature. In view thereof, she does not deserve to be released on bail. It is, thus, argued that the petition is liable to be dismissed.

6. This Court has heard the submissions made by learned counsel for the parties.

7. The petitioner is alleged to have formed membership of an unlawful assembly with the co-accused and in prosecution of common object thereof, is alleged to have assaulted the victim, thereby causing his homicidal death. Fatal injury might not have been attributed to the petitioner but still the allegations against her are serious in nature as she appears to be an active participant in the incident, who had thrown brick bats over the victim and other members of his party and facilitated the commission of subject crime by the co-accused. The trial has commenced and there there is nothing on record to show that there would be any undue delay in conclusion of the same. Keeping in view the gravity of the allegations levelled against the petitioner, the quantum of sentence which the conviction may entail and the attendant facts and circumstances of the case, this Court is of the considered opinion that the petitioner does not deserve to be granted benefit of regular bail. Hence, the petition is dismissed.

8. It is made clear that the observations made hereinabove are only for the purpose of deciding the present petition and the same shall not be construed as an expression of opinion on the merits of the case.

06.11.2025

Waseem Ansari

(MANISHA BATRA)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No