

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

CRM-M-25017-2025

Reserved on: 1st September, 2025

Pronounced on: 4th September, 2025

Bhateri

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. V.P. Sangwan, Advocate for the petitioner.

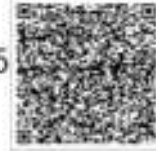
Ms. Himani Arora, Deputy Advocate General, Haryana.

Mr. Sandeep Singh Sangwan, Advocate for the complainant.

MANISHA BATRA, J :-

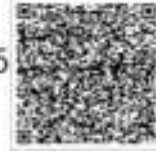
The present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the petitioner seeking grant of regular bail in case bearing FIR No. 299 dated 26.12.2024 registered under Sections 109(1), 115, 118(1), 3(5) and 351(3) of Bharatiya Nyaya Sanhita, 2023 (for short 'BNS') (Sections 115(2) and 117(2) of BNS added later on and Section 115 of BNS deleted) at Police Station Badhra, District Charkhi Dadri.

2. As per the allegations on the evening of 25.12.2024, the complainant Surender was going from village Badrai to village Kadma side in his alto car and when he reached near the shop of Mir Singh, his vehicle had lost balance and had hit a tree. When he alighted from the car, he was



intercepted by the petitioner and her two sons namely Jitender and Anil, who proclaimed that he was caught in their web on that day. He was already having a land dispute with the petitioner and her family. All three of them tried to pull him towards their house, but the complainant managed to save himself and rushed towards the house of Satya Narayan. The petitioner and the co-accused had reached there also. They were armed with weapons. They opened an assault upon the complainant with intent to kill him. In the meanwhile, the family members of the complainant reached there, but they too sustained injuries at the hands of the petitioner and her sons, and thereafter they fled while proclaiming that they would kill them on finding appropriate opportunity. The phone of the complainant had also gone missing. On the basis of the statement recorded by the complainant, Surrender, the aforementioned FIR was registered. Investigation proceedings were initiated. The petitioner and the co-accused were arrested on 26.12.2024. They were interrogated and suffered disclosure statements admitting their involvement in the subject crime. Investigation now stands completed.

3. It is argued by learned counsel for the petitioner that she has been falsely implicated in this case. The ocular version of the complainant and his family members with regard to the seat of the injuries as sustained by them at the hands of the petitioner and co-accused is contradictory to the injuries as mentioned in the medico legal report. No injury which could be opined to be dangerous to life has been sustained by either of them. Eyewitness has not supported the prosecution version and turned hostile. The trial will take considerable time to conclude. Her further incarceration



would not serve any useful purpose. Her involvement in two other cases cannot be considered to be a reason for denying benefit of bail to her. With these broad submissions, it is argued that she deserves to be released on bail.

4. Status report has been filed. Learned State counsel assisted by learned counsel for the complainant has vehemently argued that the allegations against the petitioner are quite serious in nature. One of the injuries found on the person of injured Ashok has been opined to be dangerous to life. Injuries found on the person of Surender and Harpyari have also been opined to be grievous in nature. Allegations against her are serious in nature. She is involved in two more cases. There are chances of her committing similar offences, if extended benefit of bail. Therefore, it is urged that the petition does not deserve to be allowed.

5. This Court has heard learned counsel for the parties at considerable length and has gone through the record carefully.

6. The petitioner along with the co-accused is alleged to have opened an assault upon the complainant and his family members and caused injuries to them. Injuries sustained by one of the victim namely Ashok, have been opined to be dangerous to life. The petitioner is, however, in custody since 27.12.2024. Challan has since been filed. Trial will take considerable time to conclude. No useful purpose is going to be served by keeping the petitioner in custody anymore. It is a well-settled proposition of law that the bail is the rule and jail is an exception. Keeping in view the above discussed facts but without meaning to make any comment upon the merits of the case, I am of the considered opinion that the petition deserves to be allowed. Accordingly, the same is allowed and the petitioner is ordered to be released



on bail subject to her furnishing personal/surety bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.

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

[MANISHA BATRA]
JUDGE

4th September, 2025
Parveen Sharma

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| 1. Whether speaking/ reasoned | : | Yes / No |
| 2. Whether reportable | : | Yes / No |