



IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CRM-M-28591-2025  
DECIDED ON: 23.05.2025

INDERJIT KAUR @ JYOTI

.....PETITIONER

VERSUS

STATE OF PUNJAB

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Preet Harinder Singh Pannu, Advocate  
for the petitioner.

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SANDEEP MOUDGIL, J (ORAL)

1. Relief sought

The jurisdiction of this Court has been invoked under Section 482 of The Bharatiya Nagarik Suraksha Sanhita, 2023 seeking grant of anticipatory bail to the petitioner in case FIR No.16 dated 26.02.2025 (ANNEXURE P-1) under Sections 109/125/351(3)/ 191(3)/ 190 BNS,2023 and Section 25/54/59 Arms Act registered at Police Station Khilchian, District Amritsar.

2. Prosecution story setup in the present case as per the version in the FIR as under:-

*“Statement of Surjan Singh S/ SwaranSingh R/o Fattuwal, P.S. Khalchian, District Amritsar, aged about 65 years, Mobile No. 89681-63132 stated that I am resident of above address and I am doing agricultural work. I have two children, elder daughter Poonampreet Kaur and son Harmit*

*Singh. Today, dated 25.02.2025 at about 04:30 PM that I alongwith my family was present at my house, then Gursahibjit Singh s/o Baljit Singh, R/o Jharunangal alongwith his 3 companions consisting of Manrup Singh s/o Harjinder Singh, R/o Dhaluka, Simranjot Singh @ Sim s/o Daljit Singh residents of Jharunangal and Pavittar Singh R/o Kaloke riding on their separate cars came outside our house and Gursahibjit Singh called my son Harmit Singh outside my house saying that he has to talk something important with him. My son Harmit Singh and Gursahibjit Singh above taking along his three companions while talking to each other went outside towards Dhaba and I also walked behind them. After going at some distance, my son Harmit Singh and Gursahibjit Singh above started arguing with each other on some matter and Gursahibjit Singh and his companions started quarreling with my son Harmit Singh above. Then Gursahibjit Singh came in anger and took out one pistol from his dub and with the intention to kill my son directly fired three cartridges one by one hitting my son Harmit Singh directly in his stomach and my son Harmit Singh fell down on ground. During this, Gursahibjit Singh above hurriedly hit one cartridge in the leg of his companion Simranjot Singh @ Simu s/o Daljit Singh, resident of Jharunangal and I shouted, "mar-ditta, mar-ditta". Then their other unknown companions suddenly came present there who were standing behind the Dhaba which includes Sonu R/o Khadoor Sahib who is already known to me and who was carrying one pistol in his hand and he fired three cartridges in air from his pistol. The above persons taking alongwith their injured companion Simranjit Singh @ Simu s/o Daljit Singh R/o Jharnangal, abusing my son Harmit Singh and threatening to kill him ran away by riding in their cars and Sonu R/o Khadoor Sahib separately riding on his Bullet motorcycle left from the spot. After hearing the sound of cartridges, our neighbours also gathered on the spot. Where I and my wife Ranjit Kaur with the help of people arranged vehicle and got our son Harmit Singh admitted at*

*Guru Ramdas Hospital, Walla-Amritsar where my above son is under treatment. Reason of enmity is that Gursahibjit Singh above and my son Harmit Singh indulged in some dispute few days ago which got compromised by some prominent persons but Gursahibjit Singh was not fully satisfied with this compromise. Due to this enmity, Gursahibjit Singh s/o Baljit Singh R/o Jharunangal and his companion Manrup Singh s/o Harjinder Singh R/o Dhulka, Simranjit Singh @ Simu s/o Daljit Singh residents of Jharunangal and Pavittarjit Singh R/o Kaleke and Sonu R/o Khadoor Sahib and some unknown persons with the intention to kill my son Harmit Singh fired bullets on him. Strict legal action may kindly be taken against them. Statement has been recorded to you and found to be correct. Sd/- Surjan Singh above, attested by Sd/- Sukhwinder Singh ASI P.S. Khalchian, dated 25.02.2025.*

3. **Contention**

**On behalf of the petitioner**

Learned counsel for the petitioner contends that there is a delay of 17 days in nominating the name of the petitioner as an accused in the instant FIR that too vide supplementary statement of injured Harmeet Singh whereas his father Surjan Singh, an eye-witness to the occurrence is on record to say that the petitioner was not present at the spot.

Notice of motion.

**On behalf of the State**

On the asking of the Court, Mr. Jastej Singh, Addl. A.G., Punjab accepts notice on behalf of the respondent-State, who opposes the grant of anticipatory bail to the petitioner on the ground that it was the petitioner alone who lured the victim, Harmeet Singh, to come at the spot of occurrence and was responsible for causing the alleged injuries to him.

4. **Analysis**

Be that as it may, the argument raised on behalf of the State at this stage seems to be without any incriminating material, particularly in the light of eye-witness Surjan Singh's statement that the petitioner was not present at the spot, who is also author of the instant FIR, therefore, no custodial interrogation of the petitioner could be enforced at this stage as there is no case made out by the prosecution against him for the recovery of any information, material or any other evidence to be collected, this Court is of the considered view that the petition deserves to be allowed.

5. **Relief**

Hence, the petitioner is directed to be released on anticipatory bail subject to her joining investigation with the Investigating Officer concerned within a period of one week from today, on furnishing of personal/surety bonds to his satisfaction. The petitioner shall also abide by the terms and conditions as envisaged under Section 482(2) of BNSS, which are reproduced below:-

*'When the High Court or the Court of Session makes a direction under sub-section (1), it may include such conditions in such directions in the light of the facts of the particular case, as it may think fit, including-*

*(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;*

*(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;*

*(iii) a condition that the person shall not leave India without the previous permission of the Court;*

*(iv) such other condition as may be imposed under sub-section (3) of section 480, as if the bail were granted under that section.'*

However, it is made clear that in case the petitioner does not comply with the aforesaid direction of joining the investigation within a period of one week, the order passed by this Court today shall automatically stands cancelled.

In the aforesaid terms, the present petition stands allowed.

**(SANDEEP MOUDGIL)**  
**JUDGE**

**23.05.2025**

*Poonam Negi*

*Whether speaking/reasoned*

*Yes/No*

*Whether reportable*

*Yes/No*