



CRM-M-40389-2024

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

210

CRM-M-40389-2024

Date of decision: 30<sup>th</sup> January, 2025

Raj Bala @ Bhateri

...Petitioner

Versus

State of Haryana

...Respondent

**CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA**

Present: Mr. Sushil Sheoran, Advocate for the petitioner.

Mr. Neeraj Poswal, AAG, Haryana.

Mr. Eeshan Garg, Advocate for the complainant.

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**MANISHA BATRA, J (ORAL):-**

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. 45 dated 20.02.2024 registered under Sections 302, 323, 341, 506 read with Section 34 of IPC at Police Station Bawani Khera, District Bhiwani.

2. Brief facts of the case relevant for the purpose of disposal of this petition are that the aforementioned FIR had been registered on the basis of complaint lodged by the complainant-Kamlesh on the allegations that in the morning of 19.02.2024, her daughter-in-law Meenakshi, who was four months pregnant had gone outside the house, to clean the drain which had been closed by the accused Pawan and Revati. On hearing noises, the complainant went outside and saw the accused Revati, Pawan and the



present petitioner who is mother of the accused-Pawan, while assaulting her daughter-in-law with handle of spade and washing peddle. She rushed for her rescue but she too sustained injuries at their hands. In the meanwhile, her husband Ram Kumar also reached there and tried to save them but the petitioner and the co-accused also caused injuries to him with the weapons which they carried. He had fallen down but was still assaulted by the accused. In the meanwhile, other persons gathered at the spot and then while extending threats, the assailants left the spot. The injured were referred to the hospital but her husband Ram Kumar succumbed to the injuries. After registration of FIR, investigation proceedings were initiated. The accused Pawan and Rewati were arrested on 21.02.2024 and 23.02.2024, respectively. They suffered disclosure statements admitting their involvement in the subject crime. The present petitioner was arrested on 09.05.2024 and she too suffered a disclosure statement and got recovered the washing peddle used at the time of occurrence. Investigation stands concluded.

3. The present petition has been filed by the petitioner on the grounds and it is argued by her counsel that she has been falsely implicated in this case. She was not present at the spot at the time of occurrence. Rather, she along with her grand children was present at a confectionery shop at that time and CCTV footage installed in that shop showed this fact but the Investigating Officer had not collected the same in evidence. No specific injury has been attributed to her. The weapon of offence was falsely planted upon her. She is in custody since long. She has to look after her minor grand children as there is none else to take care of them. She is an old



lady. With these broad submissions, it is urged that she deserves to be released on bail.

4. Status report has been filed by respondent-State. Learned Assistant Advocate General, Haryana has vehemently argued that there are serious and specific allegations against the petitioner who in furtherance of common intention with the co-accused and due to previous strained relations between the parties, had firstly opened an attack upon the daughter-in-law of the complainant and caused injuries to her and then inflicted injuries to the victim-Ram Kumar and the present complainant. The victim had died as an impact of the injuries sustained in the head. The active participation of the petitioner in the subject crime is *prima facie* established. Trial is going at a proper pace. It may further be expedited. Therefore, it is urged that the petition does not deserve to be allowed.

5. I have heard learned counsel for the parties at considerable length and have gone through the record carefully.

6. The petitioner along with the co-accused is alleged to have assaulted daughter-in-law of the complainant, herself and her husband, who succumbed to the injuries sustained at the hands of the petitioner and other co-accused. Injured eye-witness Meenakshi has since been examined and has fully supported the prosecution version. The allegations against the petitioner are grievous in nature. Taking into consideration, the nature of the allegations as levelled against her, the quantum of sentence which the conviction may entail and the attendant facts and circumstances of the case but without meaning to make any comment on the merits thereof, I am of the considered opinion that the petition does not deserve to be allowed. Hence,



the same is dismissed.

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

[MANISHA BATRA]  
JUDGE

30<sup>th</sup> January, 2025  
Parveen Sharma

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