



CRM-M-38604-2025 (O&M) 1

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

115+207

CRM-M-38604-2025 (O&M)

Date of decision: 28.11.2025

Harbhajan Kaur

....Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. Gurmeet Singh, Advocate, for the petitioner.
Mr. Manipal Singh Atwal, DAG, Punjab.
Mr. Jasraj Singh, Advocate, for the complainant.

AMAN CHAUDHARY, J. (ORAL)**CRM-47534-2025**

For the reasons mentioned in the application, the same is allowed and
Annexures P-11 and P-12 are taken on record.

Main case

1. Prayer in the present petition filed under Section 483 BNSS is for grant of regular bail to the petitioner in case FIR No.0266 dated 09.11.2024, registered under Sections 103, 331(6) & 351(2) of Bharatiya Nyaya Sanhita, 2023 (Section 331(6) of BNS deleted and Sections 331(8) and 61 of BNS, 2023 added later on) at Police Station Tanda, District Hoshiarpur.

2. Learned counsel contends that the petitioner, 60 year old, has been in custody for 1 year and 13 days. She has been falsely implicated in the case. The main allegations are against the accused Mandeep Singh of having inflicted injuries to the deceased with the knife. The petitioner is the mother-in-law of the daughter of the deceased and came to be involved in the case by way of a supplementary statement. Charges have been framed on 01.08.2025, however, out of 15 prosecution witnesses, two private witnesses have been examined. She



is not involved in any other case.

3. The custody certificate dated 27.11.2025, filed by the learned State counsel is taken on record. As per the same, the petitioner is behind bars for 1 year and 13 days.

4. Learned State counsel and learned counsel for the complainant oppose the bail on the ground that there are specific allegations against the petitioner of having connived with the main accused, who is her son on account of which she gave effect to the offence. However, they are unable to controvert the submissions with regard to stage of the trial and the petitioner being not involved in any other case.

5. Heard.

6. Considering the facts and circumstances of the case, in particular that the petitioner is in custody for 1 year and 13 days; not involved in any other case; charges were framed on 01.08.2025, however, only 02 out of 15 prosecution witnesses have been examined, the trial is likely to take a considerable time, further incarceration of the petitioner would be violative of his right enshrined under Article 21 of the Constitution of India, the present petition is allowed.

7. The petitioner is ordered to be released on regular bail, subject to furnishing bail/surety bonds to the satisfaction of trial Court/Duty Magistrate concerned, if not required in any other case and shall abide by the following conditions:-

- (i) The petitioner will not tamper with the evidence during the trial.
- (ii) The petitioner will not pressurize/ intimidate the prosecution witnesses.
- (iii) The petitioner will appear before the trial Court on each and every date fixed, unless is exempted by a specific

order of Court.

- (iv) The petitioner shall not commit an offence similar to the offence of which, she is an accused, or for commission of which she is suspected of.
- (v) The petitioner shall not directly or indirectly coerce, induce, threaten or promise to any person acquainted with the facts of the case so as to dissuade him/ her from disclosing such facts to the Court or to any police officer or tamper with the evidence in any manner.
- (vi) The petitioner shall not in any manner misuse her liberty.
- (vii) The petitioner shall furnish his address and mobile number by way of an affidavit to the trial Court and not change the same till conclusion of trial and if for any reasons, she seeks to change either of the aforesaid, it shall be done only with prior information to the learned trial Court.
- (viii) The petitioner shall not leave the country without prior permission of the trial Court.
- (ix) The trial Court/Duty Magistrate may impose any other condition, as deemed appropriate while releasing the petitioner.

8. It is made abundantly clear that in case there is any breach of the aforesaid conditions, the State shall be at liberty to seek cancellation of bail as granted to the petitioner by this order.

9. In view of the above, it is clarified that the observations made herein above are limited for the purpose of present proceedings and would not be construed as any opinion on the merits of the case and the trial would proceed independently of the aforesaid observations.

(AMAN CHAUDHARY)
JUDGE

28.11.2025
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Whether speaking/reasoned	:	Yes / No
Whether reportable	:	Yes / No