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

CRM-M No.52893 of 2025

Date of Decision : 08.12.2025

Kulwinder Kaur**.....Petitioner**

versus

State of Haryana**..... Respondent****CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ**

Present :- Mr. Sahil Choudhary, Advocate
for the petitioner.

Mr. Tanuj Sharma, AAG, Haryana.

RAJESH BHARDWAJ, J. (Oral)

1. Present petition has been filed praying for the grant of regular bail to the petitioner in case bearing FIR No.350, dated 06.08.2024, under Sections 3(5), 190, 191(2), 191(3), 115(2), 126(2), 351(3), 103(1), 324(6), 238(a) of BNS, 2023, registered at Police Station Pinjore, District Panchkula, Haryana.

2. Succinctly the facts of the case are that FIR in the present case got registered on the statement of complainant, namely, Amardeep Singh @ Aman son of Ram Singh. It was alleged that Harpreet Singh, Uncle of complainant, i.e. Chacha, had a long standing dispute with his neighbors, namely Gurvinder Singh, Surinder Singh, Gurjant Singh and Santy regarding the land of Kurdi. It was alleged that on 05.08.2024, at around 8:30 A.M., Gurvinder Singh, Surinder Singh, Gurjant Singh and



Santy forcibly entered in the house of his Chacha, i.e. Harpreet Singh (deceased) and gave him beatings by kicks and fist blows and after threatening, left the house. It was alleged that Harpreet Singh called the complainant and then, the complainant along with Harvinder Singh went to the house of his chacha, i.e. Harpreet Singh. They found that his Aunt, namely, Beant Kaur, also received minor injuries, and when then they were taking to the hospital for the treatment, however they were waylaid by Gurvinder Singh, Surinder Singh, Gurjant Singh, Santy, Rajji and Billa, Kulwinder Kaur (petitioner) etc. In the meantime, Gurvinder Singh armed with sword, Rajji armed with iron rod, Santy armed with axe, Gurjant Singh @ Nauni armed with iron pipe, Kulwinder Kaur and Surinder Singh armed with sticks along with other family members arrived there. Gurvinder Singh hit on the head of Harpreet Singh by giving him a sword blow. Rajji hit Harpreet Singh by giving a blow of iron rod on his head. Santy gave Axe blow and Gurjant have iron pipe blow. Kulwinder Kaur gave a stick blow and thus, Harpreet Singh received serious injuries and thus, fell unconscious and shifted to the Hospital, however he was declared dead. Thus the request was made to take legal action against the accused. On the basis of the complaint, the present FIR was registered. On registration of the FIR, the investigation commenced. During the investigation, the petitioner was arrested on 09.08.2024. On completion of the investigation, the challan was presented and on framing of charges, the trial commenced. The petitioner approached the Court of learned Additional Sessions Judge, Panchkula praying for grant of bail. However, after hearing both the sides and finding no merit in the same, the learned Additional Sessions Judge, Panchkula, dismissed the bail application filed



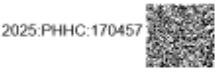
by the petitioner vide order dated 12.09.2025. Hence being aggrieved, the petitioner is before this Court by way of filing the present petition praying for grant of bail.

3. Learned counsel for the petitioner has vehemently contended that the petitioner is an old woman, who has been implicated in the present case only on the basis of fabricated allegations. He has submitted that the allegations regarding armed with lethal weapon and giving blows of the same to the deceased are against the co-accused. He has submitted that the petitioner has been falsely shown to be armed with stick. He has submitted that the ocular version of the prosecution is not medically corroborated. He has submitted that the petitioner is behind bars from last more than 01 year and she has no criminal antecedents. He has submitted that the challan is presented and charges have been framed. He has submitted that in the facts and circumstances, the petitioner deserves to be granted bail.

4. *Per contra*, learned State counsel has opposed the submissions made by learned counsel for the petitioner. He has submitted that the petitioner was not only the part of unlawful assembly but she had played an active role in causing injury to the deceased. He, on instructions, has submitted that out of total 21 prosecution witnesses, no witness has been examined so far. He has produced custody certificate of the petitioner today in the Court which is taken on record.

5. Heard.

6. On hearing counsel for the parties and perusing the record, it is deciphered that the petitioner was arrested in the present case on 09.08.2024. The petitioner in the present case has been alleged to be



armed with stick. The deceased received 06 injuries, which are alleged against the co-accused. Custody certificate produced would show that the petitioner has suffered incarceration of 01 year, 03 months and 26 days as on 05.12.2025. It further reflects that the petitioner is not involved in any other case. Out of total 21 prosecution witnesses, no witness has been examined so far.

7. The veracity of the allegations and counter allegations would be assessed only after the conclusion of the trial and on the appreciation of evidence to be led by both the parties before the trial Court.

8. This Court would refrain itself from commenting anything on the merits of the case. The trial of the case will take sufficient long time. Keeping in view the arguments raised by both the sides and perusing the record, this Court is of the opinion that learned counsel for the petitioner succeeds in making out a case for grant of regular bail to the petitioner.

9. Accordingly, the present petition is allowed and the petitioner is ordered to be released on bail on her furnishing bail/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate. Nothing said herein shall be treated as an expression of opinion on the merits of the case.

08.12.2025
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(RAJESH BHARDWAJ)
JUDGE

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