



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

CRM-M-58697-2024 (O&M)

Date of Decision:-22.04.2025

Bagwant Kaur @ Bhgwant Kaur and another

.....Petitioners

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present:- Mr. Surinder Singh Virk, Advocate for the petitioners.

Mr. Surinder Kumar Dagar, DAG, Haryana.

Mr. Abhishek Sindhwan, Advocate and
Mr. Sahil Dalal, Advocate for the complainant.

JASGURPREET SINGH PURI J.(Oral)

1. At the outset, learned State counsel submitted that during the pendency of the present petition, the provision of Section 110 of BNS (308 of IPC) has also been added.

2. Learned counsel for the petitioners submitted that since the aforesaid section has been added during the pendency of the present petition, the same may be included in the headnote and prayer clause of the petition.

3. Learned State counsel stated that considering the fact that the section has been added during the pendency of the present petition, he has got no objection if the aforesaid section is added to the prayer clause and headnote of the present petition.

4. In view of the above, on the request of the learned counsel for the petitioners and with no objection from the learned State counsel, it is directed that in the headnote and prayer clause of the present petition, the



offence under Sections 115, 126, 190, 191(3) (Wrongly mentioned as 193(3) in first page of FIR), 324(4), 324(5), 351(2), and 76 of BNS 2023 be substituted and read as under Sections 110, 115, 126, 190, 191(3) (Wrongly mentioned as 193(3) in first page of FIR), 324(4), 324(5), 351(2), and 76 of BNS 2023

5. The Registry is directed to make the necessary changes in the headnote and prayer clause of the present petition.

6. The present petition has been filed under Section 482 of BNSS for grant of anticipatory bail to the petitioner in case FIR No.0420 dated 04.11.2024, under Sections 110, 115, 126, 190, 191(3), (Wrongly mentioned as 193(3) in first page of FIR), 324(4), 324(5), 351(2) and 76 of BNS 2023, registered at Police Station Sadar Jind, District Jind, Haryana.

7. Learned counsel appearing on behalf of the petitioners submitted that in pursuance of the order passed by this Court on 09.01.2025, both the petitioners have already joined the investigation and have fully cooperated with the investigation process and therefore the interim bail granted to both the petitioners may be made absolute.

8. While giving the facts of the present case, learned counsel for the petitioners submitted that it is a case where the complainant was an ex-sarpanch of the village and there was a political enmity and the allegations against the petitioners in the present case as per the FIR were that the petitioner No.1 who is a lady of the age of 43 years had only waylaid the complainant party and had put some thorny bushes on the way and petitioner No.2 who is also a lady of the age of 36 years had used bricks for the purpose of causing injuries later on. He also submitted that, even as



per the prosecution all the injuries allegedly caused by the other co-accused in the present petition were simple in nature. He further submitted that the present FIR was an outcome of political rivalry and considering the aforesaid alleged role of the petitioners of only waylaying and using bricks and not of causing injuries, the petitioners may be considered for the grant of anticipatory bail.

9. On the other hand, learned State counsel, on instructions from Inspector Sunil Kumar, submitted that in pursuance of the order passed by this Court on 09.01.2025, the petitioners have already joined the investigation and have fully cooperated with the investigation process and they are not required for further custodial interrogation. He also submitted that although the injuries which were stated to be 22 injuries on the husband of the complainant and 03 injuries on the complainant are concerned, the same were declared as simple in nature and the matter was referred to higher hospital for further medical opinion but no report has been received from the higher hospital with regard to reviewing of the aforesaid nature of the injuries. He also submitted that the allegations and the role of the present petitioners were of waylaying the complainant party and using bricks and thereafter it was the other co-accused who caused injuries to the complainant party which were declared as simple.

10. Learned counsel appearing on behalf of the complainant submitted that the injuries which were caused were not simple in nature although declared to be simple and that was the reason it was referred to the higher hospital, although report is still awaited. He further submitted that the complainant party, who suffered the injuries, was stopped by the



present two petitioners, who, although are ladies, played a role in obstructing them, and as a result, the injuries were ultimately caused. Therefore, the petitioners are not entitled to the grant of anticipatory bail.

11. I have heard the learned counsels for the parties.

12. It is a case where as per the allegations the petitioner No.1 who is a lady of the age of 43 years had waylaid the complainant party and petitioner No.2 who is of the age of 36 years had used bricks thereafter and after that injuries were caused to the complainant party and as per learned State counsel, injuries were declared to be simple but have been referred to a higher hospital for medical opinion. A perusal of the FIR would also show that the complainant has stated that she was the Sarpanch in the previous tenure. As per the learned counsel for the petitioners, the present FIR has come into being as a result of political rivalry. Be that as it may, even as per the learned State counsel, the injuries allegedly inflicted upon the complainant party were reported to be simple in nature as of now. At the same time, in pursuance of the orders passed by this Court on 09.01.2025, both petitioners have already joined the investigation, and as per the learned State counsel, on specific instructions, the petitioners are not required for further custodial interrogation.

13. In view of the aforesaid facts and circumstances, the present petition is hereby allowed. Interim order dated 09.01.2025 passed by this Court is hereby made absolute.

(JASGURPREET SINGH PURI)
JUDGE

22.04.2025
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Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No