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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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CRM-M-56375-2025 (O&M)
Date of Decision: 04.11.2025

Davinder Kaur

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MS. JUSTICE RUPINDERJIT CHAHAL

Present: Ms. Pooja, Advocate for
Mr. Ritesh Pandey, Advocate for the petitioner.

Mr. Amit Shukla, DAG, Punjab.

RUPINDERJIT CHAHAL, J.(Oral)

1. The instant petition is for grant of anticipatory bail to the petitioner in case FIR No.105 dated 10.08.2025 registered under Sections 115(2), 118(1), 3(5) of Bharatiya Nyaya Sanhita, 2023 (for short 'BNS') [Offence under Section 118(2) of BNS added later on] at Police Station Fatehgarh Churian, District Batala (Gurdaspur).

2. On 09.10.2025, following order had been passed: -

“Prayer in the present petition filed under Section 482 of the BNSS, 2023 is for grant of anticipatory bail to the petitioner in case FIR No.105 dated 10.08.2025, registered under Sections 115(2), 118(1), 3(5) of the Bharatiya Nyaya Sanhita, 2023, (offence under Section 118(2) of BNS, 2023 added lateron) at Police Station Fatehgarh Churian, District Batala (Gurdaspur).

*Status report by way of affidavit of Vipan Kumar, PPS,
Deputy Superintendent of Police, Sub Division Fatehgarh*



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Churian, Police District Batala on behalf of respondent-State has been filed. The same is taken on record.

Brief facts as per the prosecution case are that the petitioner along with 2-3 persons, armed with datar, baseball bat and sota reached the fields of the complainant. They attacked upon the complainant and gave multiple injuries on his person.

Learned counsel contends that the petitioner has no concern with the said incident. The petitioner is an old aged household lady and has been falsely implicated in the present FIR. He argued that the said incident occurred on 23.07.2025 but the FIR in question was registered on 10.08.2025 i.e. after an unexplained delay of 17 days, casting a serious doubt on the prosecution story. He further argued that there is a civil suit pending between the parties and the present FIR is only to create pressure upon the petitioner. Even if the allegations are taken to be true then only one sota blow on the waist of the complainant has been attributed to the petitioner. Learned counsel has further submitted that the petitioner is ready and willing to join the investigation as and when called upon to do so by the investigating agency.

On the other hand, learned State counsel has opposed the prayer for grant of anticipatory bail. While referring to the status report, it is argued that the allegations levelled against the petitioner are serious in nature and the injury under Section 115 (2) BNS is attributed to the petitioner.

Adjourned to 04.11.2025.

In the meantime, the petitioner is directed to join investigation within a week from today and would appear as and when required by the Investigating Officer and cooperate with the Investigating Agency. In the event of arrest, she shall be admitted to interim bail on furnishing of bail/surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioner shall also abide by the conditions as envisaged under Section 482(2) of BNSS, 2023. ”

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3. Learned counsel for the petitioner submits that in compliance of the order dated 09.10.2025 passed by this Court, the petitioner has joined the investigation.

4. Learned counsel for the State, on instructions from ASI Surinder, has submitted that the petitioner has joined the investigation and is no longer required for further investigation.

5. In view of the statement made by learned State counsel, the interim order dated 09.10.2025 is made absolute. The petitioner shall continue to join investigation, as and when called by the Investigating Officer and shall also abide by the conditions as provided under Section 482(2) of the BNSS.

04.11.2025

Rajeev (rvs)

**(RUPINDERJIT CHAHAL)
JUDGE**

Whether Speaking/Reasoned: **YES/NO**
Whether Reportable: **YES/NO**