IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

223

CRM-M-61038-2025
Decided on: 26.11.2025

Jinder Kaur

……Petitioner

Versus

State of Punjab

……Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Sunil Kumar Dahiya, Advocate
for the petitioner.

Mr. Bareen Pratap Singh, AAG Punjab

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SANJAY VASHISTH, J. (ORAL)

1. Prayer in this petition, filed under Section 482 of the BNSS, 2023 (earlier Section 438 Cr.P.C.), is for grant of anticipatory bail to the petitioner, who has been booked in a criminal case arising out of cross-case, vide GD No.30 dated 26.08.2025, in FIR No.194 dated 24.08.2025, registered under Sections 333, 115(2), 324(4)(5), 191(3), 190 of BNS, at Police Station City Tarn Taran, District Tarn Taran.

2. On 03.11.2025, following order was passed:

"(i) Present petition has been filed by the petitioner, seeking grant of anticipatory bail, in cross-case, vide GD No.30 dated 26.08.2025, in FIR No.194 dated 24.08.2025, registered under Sections 333, 115(2), 324(4)(5), 191(3), 190 of BNS, at Police Station City Tarn Taran, District Tarn Taran.

(ii) Initially, FIR No.194 dated 24.08.2025, under Sections 333, 115(2), 324(4)(5), 191(3), and 190 of the Bharatiya Nyaya Sanhita (BNS), was registered at the instance of one Anita, wife of Mukander Singh. In her complaint, she alleged that while she and her husband

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were travelling on a motorcycle, they were intercepted by the following accused persons:- (i) Rohit son of Toni, armed with a datar; (ii) Baby son of Toni, armed with a datar; (iii) Ajay son of Toni, armed with a kirpan; (iv) Rinka son of Chanan Singh, armed with a datar; (v) Harpreet Singh @ Happy son of Charandas, armed with a datar; (vi) Sunny son of Dhira, armed with a datar; (vii) Bambi son of Dhira, armed with a baseball bat; (viii) Neelam wife of Dhira, empty-handed; (ix) Praveen wife of Toni, empty-handed; (x) Guri son of Jaimal, armed with a bat; (xi) Kali son of Jaimal, armed with a kirpan; and (xii) Kiran wife of Jaimal, empty handed. It was further alleged that the accused persons caused injuries to the complainant and her husband.

Subsequently, a cross-case was registered at the instance of complainant Inderjit Singh son of Charan Singh, in the form of GD No. 030 dated 26.08.2025, treating it as a cross-version under the same FIR No.194 dated 24.08.2025. In the said cross-version, the following persons were named as accused:- (1) Mohit, (2) Happy, (3) Jinder Kaur (petitioner herein), (4) Sattu, (5) Manpreet Singh @ Monu, (6) Kawal, and (7) Love.

(iii) As per the allegations, one Sikander Singh, who was allegedly a gangster, used to threaten the complainant Inderjit Singh and his family members. Though Sikander Singh has since expired, complainant alleged that the above-named accused persons have now been issuing similar threats, due to which the complainant and his family members have often stayed away from their home out of fear.

It was further alleged that on the evening of 23.08.2025, all the aforementioned accused came armed with illegal weapons such as pistols, and on the morning of 24.08.2025, they broke open the doors of the complainant's house with sharp-edged weapons such as datar. Petitioner Jinder Kaur and co-accused Sattu were specifically alleged to have shouted and entered the complainant's house through the roof. Co accused Mohit allegedly pointed a pistol and fired at the complainant's brother Harpreet Singh @ Happy, causing a bullet

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injury on his left thigh, a non-vital part of the body. It was further alleged that Mohit also attempted to fire at the complainant, but he saved with great difficulty.

(iv) Learned counsel for the petitioner contends that, except of the allegation of shouting and entering the complainant's house along with co-accused Sattu, no other substantive allegation has been made against the petitioner in the cross-version case. There is no allegation against the petitioner of being armed with any weapon, nor there is any claim of her having participated in any act of violence.

It is further submitted that the firearm injury caused by co accused Mohit is on a non-vital part of the body, indicating that no grave offence has been committed. Moreover, petitioner is willing to join the investigation and cooperate fully with the authorities, provided she is protected from arrest. Thus, counsel prays for grant of anticipatory bail to the petitioner in the present case.

(iv) Notice of motion.

(v) On advance notice, Mr. Neeraj Madaan, Sr. DAG, Punjab, puts in appearance on behalf of the respondent – State, and seeks some time to file status report in the matter.

(vi) Adjourned to 26.11.2025.

(vii) Learned State counsel is directed to file a status report, along with the medico-legal report of the injured person and opinion of the attending doctor, on or before the next date of hearing.

(viii) Meanwhile, the petitioner is directed to join the investigation as and when required to do so by the Investigating Agency. In the event of her arrest, the petitioner shall be released on ad-interim bail, subject to her furnishing bail bonds to the satisfaction of the Arresting Officer. The petitioner shall also abide by all the conditions laid down under Section 482(2) of BNSS, 2023 (earlier Section 438(2) Cr.P.C.).

(ix) Besides, it is directed that petitioner would hand over her passport to the Investigating Agency or to Court concerned, if she possesses. Otherwise, would submit an affidavit, disclosing the fact that she does not possess any passport.

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It is also directed that before leaving country any time during trial, petitioner would seek prior permission of the Court "

3. Continuing his submissions, learned counsel for the petitioner contends that in compliance to the order dated 03.11.2025 passed by this Court, petitioner has joined the investigation on 08.11.2025.

4. Learned State counsel on instructions, confirms the said averment made by counsel for the petitioner of joining the investigation on 08.11.2025 by the petitioner, and submits that she has filed an affidavit disclosing the fact that she does not possess any passport and as of now, custodial interrogation of the petitioner is not required for the purpose of investigation.

5. Heard learned counsel for the parties.

6. Since, petitioner has already joined the investigation and custodial interrogation is no more required; ad-interim bail order dated 03.11.2025 passed by this Court is hereby made absolute. Accordingly, present petition is allowed.

The petitioner shall continue to join the investigation as and when required to do so and abide by all the terms and conditions laid down under Section 482(2) of BNSS, 2023.

However, present order would be subject to the submission of her passport to the Investigating Officer or to Court concerned, if he/she possesses, within a period of one week from today. Otherwise, he/she would submit an affidavit, disclosing the fact that he/she does not possess any passport.

It is clarified that in case, aforesaid condition is not complied with, this order would be considered as *non est* automatically.

(SANJAY VASHISTH)
JUDGE

26.11.2025
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Whether Speaking/Reasoned: **YES/~~NO~~**
Whether Reportable: **~~YES~~/NO**

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