



CRM-M-61673 of 2025

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

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**CRM-M-61673 of 2025
Date of Decision: 19.11.2025**

Amarjit Kaur

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MS. JUSTICE RUPINDERJIT CHAHAL

Present: Mr. Tanvir Singh Grewal, Advocate for the petitioner.

Mr. Amit Shukla, DAG, Punjab.

RUPINDERJIT CHAHAL, J (ORAL)

1. Prayer in the present petition filed under Section 483 of the BNSS, 2023 is for grant of regular bail to the petitioner in case FIR No.219 dated 12.09.2025 registered under Sections 105 and 190 of the Bharatiya Nyaya Sanhita, 2023, at Police Station Sadar Dhuri, District Sangrur.

2. Brief facts as per the case of the prosecution are that the petitioner with a common objective pushed the father of the complainant, due to which he fell on the ground and later on died.

3. Learned counsel for the petitioner contends that the petitioner have been falsely implicated in the present case. He argues that the present FIR emanates out of civil dispute between the parties and the name of the petitioner has been dragged up unnecessarily. He further argues that as per the prosecution, on 12.09.2025, various officials of the Revenue Department had reached the spot along with the complainant and others including



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Bhagwant Singh-deceased for executing the warrants of possession. It is further alleged by the prosecution that the petitioner along with other co-accused, namely, Gurmail Kaur, Jaswinder Kaur, Gurmail Singh, Farman Singh and 3-4 unknown person came at the spot and started opposing the revenue authorities and snatched the pillars and boki. It is further alleged that during the scuffle, co-accused Gurmail Kaur pushed Bhagwant Singh (father of the complainant) who fell on the ground and later on died. He argued that the entire occurrence was video-graphed in detail by the persons present at the spot and it is crystal clear that during the entire episode, Bhagwant Singh (deceased) was not even touched by the present petitioner. Furthermore, no fight or quarrel took place at the spot, which is clearly visible in the video and the deceased did not suffer a single injury prior to his fainting and falling on the ground and hence, the entire story put forth by the complainant is concocted one. It has also been contended that if the contents of the FIR are taken to be true, even then no specific role has been attributed to the present petitioner. FSL is yet to give report on the exact cause of death. No recovery is to be effected from the petitioner. The petitioner is in custody since 12.09.2025. Further, co-accused Gurmail Singh, who was on similar footing with the petitioner, has already been granted the concession of anticipatory bail by this Court, vide order dated 12.11.2025. Moreover, the petitioner has clean antecedents as she is not involved in any other case. The investigation in this case is still under-way. He further submits the trial will take a long time to conclude and no useful purpose would be served by keeping her behind bars. Therefore, it is urged



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that the petition deserves to be allowed.

4. On the other hand, learned State counsel has filed the status report and custody certificate of the petitioner, which are taken on record. While referring to the status report, he has vehemently opposed the prayer for bail by submitting that the offence committed by the petitioner is serious in nature. He has further submitted that the petitioner being part of unlawful assembly in connivance with other co-accused has played an active role in the offence. However, he has not controverted the fact that the petitioner is a first time offender as she is not involved in any other case.

5. Having heard learned counsel for the parties at length and after perusing the record of the case, it is evident that the petitioner is in custody for the last more than 02 months; she has clean antecedents; the complicity of the petitioner is a matter of trial, and the trial is likely to take a long time to conclude. No useful purpose would be served by keeping the petitioner in further custody. Her continued detention without the prospect of the trial being concluded in the near future would be violative of his rights under Article 21 of the Constitution of India.

6. Reliance is placed upon a judgment in the case of ***Dataram Singh vs. State of Uttar Pradesh & Anr. 2018(2) R.C.R. (Criminal) 131***, wherein Hon'ble Apex Court has held that keeping somebody behind the bars, till her guilt is proved, for an indefinite period amounts to infringement of her right to life and liberty, as enshrined under Article 21 of Constitution of India and is against the principle "*bail is a rule*" and "*jail is an exception*".

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7. In view of the above, the present petition is allowed and the petitioner is ordered to be released on bail on her furnishing bail bonds/surety bonds to the satisfaction of the learned trial Court/Duty Magistrate/CJM concerned. It is clarified that nothing stated herein shall be construed as an expression of opinion on the merits of the case.

19.11.2025*D.Bansal***(RUPINDERJIT CHAHAL)
JUDGE**

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