

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

Sr. No206-2

**CRM-M-3433-2026
Date of Decision: 21.05.2026**

SULAKSHNA BRAMTA

...Petitioner

Versus

STATE OF PUNJAB

....Respondent

CORAM: HON'BLE MS. JUSTICE MANDEEP PANNU

Present:- Mr. Rajiv Kataria, Advocate
for the petitioner.

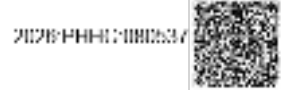
Mr. Hardeep Hans, AAG, Punjab.

Mr. Ramdeep Pratap Singh, Advocate
for the respondent/complainant.

MANDEEP PANNU, J. (Oral)

1. Present petition has been filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 seeking quashing of the order dated 04.09.2025 passed by the learned Judicial Magistrate Ist Class, Mohali whereby bailable warrants were issued against the petitioner in FIR No.37 dated 10.04.2018 registered under Sections 385, 387, 389, 506 and 509 IPC at Police Station Phase-11, SAS Nagar, Mohali.

2. Learned counsel for the petitioner has contended that initially the present FIR was registered against co-accused Liladhar Tapriya and after completion of investigation, report under Section 173 Cr.P.C. was submitted on 15.07.2025. It has further been argued that subsequently the police

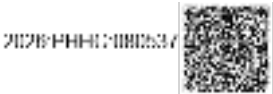


moved a fresh report alleging that due to a typographical mistake, the name of the present petitioner was wrongly mentioned in column No.2 instead of column No.3 and on the basis thereof, the learned trial Court straightaway issued bailable warrants against the petitioner vide impugned order dated 04.09.2025. Learned counsel submits that no material was discussed by the learned Magistrate showing the role attributed to the petitioner nor any satisfaction was recorded before issuing process against her.

3. I have heard learned counsel for the parties and perused the record. A perusal of the impugned order dated 04.09.2025 would show that the learned trial Court merely noticed the statement of the Investigating Officer that due to typographical error, the name of the petitioner was wrongly mentioned in column No.2 instead of column No.3 and that a fresh report had been submitted. However, without advertng to the material collected during investigation, without recording any *prima facie* satisfaction regarding involvement of the petitioner and without passing a reasoned order regarding summoning of the petitioner as an accused, the learned Magistrate proceeded to issue bailable warrants against her.

4. This Court is of the considered opinion that the learned Magistrate committed a patent illegality in issuing bailable warrants directly against the petitioner merely on the basis of a fresh report submitted by the police.

5. Accordingly, the present petition is allowed and the impugned order dated 04.09.2025 passed by the learned Judicial Magistrate Ist Class, Mohali issuing bailable warrants against the petitioner is hereby quashed.



However, liberty is granted to the learned trial Court to proceed afresh in accordance with law.

6. All pending applications, if any, also stand disposed of.

21.05.2026

Anu

Whether speaking/reasoned

Whether reportable

:

:

Yes/No

Yes/No

(MANDEEP PANNU)

JUDGE