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IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

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CRM-M No.30339 of 2026
Date of decision: 25.05.2026

Manjit Kaur @ Preet ... Petitioner

Vs.

State of Punjab ... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present:- Mr. Savreet Singh Brar, Advocate,
for the petitioner.

Mr. Durgesh Garg, AAG, Punjab,
for the respondent-State.

Mr. Mandeep Singh, Advocate,
for the complainant.

MANISHA BATRA, J. (Oral)

1. The present petition has been filed by the petitioner under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short ‘BNSS’) seeking regular bail in the FIR mentioned below:-

FIR No.	Dated	Police Station	Sections
400	18.09.2025	City Faridkot, District Faridkot	109, 191(3) and 190 of the Bharatiya Nyaya Sanhita, 2023 (For short “BNS”) (115(2), 118(1) and 118(2) of BNS added later on)

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2. Brief facts relevant for the purpose of disposal of this petition are that the aforementioned FIR was registered on the basis of a written complaint submitted by the complainant Manpreet Singh alleging that on 17.09.2025, the complainant along with his wife Amanpreet Kaur and sister Rajni Kaur was going towards Chahal road crossing and when they reached at the chowk, the present petitioner was found standing there along with co-accused Jagjit Singh, who was holding a stick. Within the sight of the complainant, two motor bikes reached at the spot. Four persons each were occupants of the same. They were armed with weapons. The complainant identified some of them. The petitioner made an exhortation by asking those persons to teach a lesson to the complainant for levelling false allegations against him. She was nursing a grudge against the complainant due to the reason that during his custody in jail in connection with some case, she had allured his wife Amanpreet Kaur thereby involving her in wrong activities and after his release on bail, he had brought his wife back from the house of the petitioner and had demanded return of the articles belonging to his wife. The complainant further alleged that the assailants then opened an assault upon him and his sister and caused injuries to them with their respective weapons. On raising clamour, they had fled from the spot. They were taken to hospital for treatment.

3. After registration of FIR, investigation proceedings were

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initiated. The petitioner was arrested on 18.09.2025. Subsequently, some other co-accused were also arrested. Investigation qua the petitioner now stands concluded.

4. It is argued by learned counsel for the petitioner that she has been falsely implicated in this case. The injuries sustained by the complainant and his sister have not been opined to be dangerous to life. No injury has been attributed to her. She is in custody since long. The trial will take considerable time to conclude. The co-accused Jagjit Singh @ Jagga Bhau and Ravi Singh have already been extended benefit of bail. On parity, she too deserves to be extended the same benefit. Even otherwise, the matter has been amicably settled between the complainant and herself and the complainant has sworn an affidavit in her favour. Her further incarceration would not serve any purpose. It is, therefore, argued that the petition deserves to be allowed.

5. Notice of motion.

6. Mr. Durgesh Garg, AAG, Punjab has advance notice of the petition and is ready to argue the matter. It is submitted by him that taking into consideration the gravity of the allegations as levelled against the petitioner and the fact that the petitioner was the main precipitator of the crime, she does not deserve to be extended benefit of bail.

7. Power of Attorney on behalf of complainant has been filed. Learned counsel for the complainant has raised no objection to allowing

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of the petition by affirming the fact that the compromise has been arrived at between the complainant and the petitioner.

8. This Court has considered the rival submissions.

9. The petitioner is alleged to have formed membership of an unlawful assembly along with the co-accused and in prosecution of common object thereof, she had made an exhortation thereby instigating the other accused to assault the complainant and his sister who sustained injuries in the incident. The allegations prima facie make out a case for commission of subject offences as against the petitioner. At this stage, no relevance can be given to the factum of any compromise having been arrived at between the parties. However, the petitioner has remained in custody for a period of more than 8 months by now. Investigation stands concluded. The trial will obviously take considerable time to conclude. The antecedents of the petitioner are clean. No fruitful purpose is going to be served by continued detention of the petitioner. The well settled proposition of law is that pre trial incarceration of an accused should not be a replica of post conviction sentencing. The detention prior to trial should not become punitive. Accordingly, the petition is allowed and the petitioner is ordered to be admitted to bail subject to her furnishing personal as well as surety bonds to the satisfaction of learned trial Court/CJM/Duty Magistrate concerned.

10. It is, however, clarified that observations made hereinabove

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shall not be construed as an expression of opinion on the merits of the case.

25.05.2026
manju

(MANISHA BATRA)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No