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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

203

CRM-M-55056-2025
Date of decision: 22nd January, 2026

Jasveer Kaur @ Jasvir Kaur

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Nandan Jindal, Advocate,
Ms. Parneet Kaur, Advocate and
Ms. Hashvi, Advocate for the petitioner.

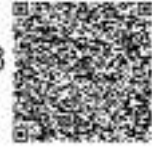
Ms. Sakshi Bakshi, Assistant Advocate General, Punjab.

MANISHA BATRA, J (ORAL):-

The present petition has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the petitioner seeking grant of anticipatory bail in case bearing FIR No. 302 dated 04.11.2024 registered under Sections 103, 115(2), 351(3), 191(3) and 190 of Bharatiya Nyaya Sanhita, 2023 (for short 'BNS') at Police Station Patran, District Patiala.

2. The aforementioned FIR has been registered on the basis of statement recorded by the complainant Sunny Kumar, on 04.11.2024, alleging that on 01.11.2024, his neighbour Monu was firing crackers with his motor bike. Feeling disturbed, Bajir Ram, father of the complainant had gone outside

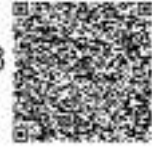
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and make him understand to not to do so. Feeling offended, the accused Monu accompanied with the present petitioner-Jasvir Kaur and co-accused Neeraj, Gurpreet Kaur, Gurveer Singh, Romi, Karan, Manjit Singh and 5-6 persons unknown to the complainant opened an assault upon his father. Accused Monu struck a blow with a *kada* (bracelet) on the head of the Wazir Ram. Accused Romi gave a *danda* blow, accused Neeraj struck blow with iron rod. The brother of the complainant was also assaulted by the assailants. The injured Wazir Ram was admitted to hospital and was provided treatment. His condition got deteriorated further, and he died on 03.11.2024. After registration of FIR, investigation proceedings have been initiated and are underway. Since the petitioner had been named in the FIR, therefore, apprehending her arrest, she moved an application for grant of anticipatory bail before the court of learned Additional Sessions Judge, Patiala which was dismissed on 16.09.2025.

3. It is argued by learned counsel for the petitioner that she has been falsely implicated in this case due to her being a relative of the co-accused Monu. Neither any specific act nor any injury on the person of the victim has been attributed to her. The victim had sustained only one head injury and even as per the medico legal report and post-mortem examination report, no other injury was found on his person. It was a case of sudden fight. The ingredients for commission of offences punishable under Sections 190 and 191 of BNS are also not attracted. She is ready to join the investigation. Her custodial interrogation is not required. No recovery is to be effected from her. It is,

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therefore, urged that the petitioner deserves to be released on anticipatory bail.

4. Status report has been filed. Learned State counsel has argued that there are serious allegations against the petitioner who formed membership of an unlawful assembly with the co-accused. She was armed with sticks and had assaulted the victim. She is liable with the aid of Sections 190 and 191 of BNS. It was due to the combined effect of the injuries sustained by the victim that he had died. The petitioner was already suffering from disease of lungs, liver and kidney, could not bear the impact of the injuries sustained by him. Custodial interrogation of the petitioner is must for conducting thorough investigation. It is, therefore, stressed that the petition does not deserve to be allowed.

5. This Court has heard learned counsel for the parties at considerable length.

6. The petitioner is alleged to have formed a membership of an unlawful assembly with the co-accused and in prosecution of common object thereof, one head injury was caused to the victim, who had succumbed to the same two days after the incident. Though the petitioner has been named in the FIR, however, no specific injury or specific overt act has been attributed to her. Given the nature of the allegations, this Court is of the considered opinion that pre-trial incarceration of the petitioner is not required. Pre-trial incarceration should not even otherwise be a replica of post-conviction sentence. As such, the petition is allowed, and the petitioner is ordered to be admitted on bail. The petitioner is directed to appear before the

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Investigating/Arresting Officer to join investigation within ten days from today and subsequent also as and when required. In the event of her arrest, the Investigating/Arresting Officer shall release the petitioner on interim bail on furnishing personal/surety bonds to his/her satisfaction. The petitioner shall also abide by the conditions as envisaged under Section 482(2) of BNS join investigation.

7. It is further clarified that the observations made above are only for the purpose of consideration of application for pre-arrest bail and the same shall not in any manner influence the trial. The trial Court shall consider the case on its merits and without being influenced by this order.

8. Since the main petition has already been disposed of, pending application if any is rendered infructuous.

[MANISHA BATRA]
JUDGE

22nd January, 2026
Parveen Sharma

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| 1. Whether speaking/ reasoned | : | Yes / No |
| 2. Whether reportable | : | Yes / No |