



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

CRM-M-67420-2025

Date of decision : 01.04.2026

Rani @ Rano

....Petitioner

versus

State of Punjab

.... Respondent

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present :- Mr. G.S. Mall, Advocate
for the petitioner.

Mr. Raj Karan Singh, AAG, Punjab.

RAJESH BHARDWAJ, J. (Oral)

1. Present second petition has been filed by the petitioner praying for grant of regular bail in case FIR No.42 dated 19.03.2023, under Sections 302, 307, 452, 148 and 149 of IPC, registered at Police Station City Malout, District Shri Muktsar Sahib, Punjab.

2. Succinctly, facts of the present case are that the FIR in the present case has been lodged on the statement of complainant, namely, Tilak Raj. It was alleged that his son Rahul was having two children and had got divorce from his wife, and out of two children, one child was given to Rahul. It was alleged that one Jyoti Kalra was residing with his son Rahul from the last two years and the complainant along with his son was demolishing the roofs of his old house. It was alleged that at about 3:20 PM, Kala Ram, Krishan Kumar, Ankit Kumar alias Kokli, Vinod Kumar, Tammana, Ankush Kumar, Rani alias Rano (present petitioner), Sunita, Monika and Sunny, all came at the spot while they were armed with weapons. In the meantime, Kala Ram raised lalkara that they be learnt a lesson for keeping his daughter Jyoti at their home. All the



accused, came inside their house and pulled his son Rahul in street and Kala Ram gave a 'Ghota' blow which hit on Rahul's right ear, Krishan Kumar also gave him a 'Ghota' blow, which hit at his head; Rani alias Rano gave a 'half brick' blow, which hit upon his forehead. When complainant tried to rescue him, his son fell down, then Ankit Kumar alias Kokli gave a 'rod' blow upon the complainant, which hit on the left side of his head and others also gave blows to both of them with their respective weapons. The complainant raised screams, due to which neighbours gathered and all the accused persons escaped from the spot along with their respective weapons. Thereafter, the complainant admitted his son to Civil Hospital, Malout but he succumbed to his injuries. Request was made to take legal action against the accused. Thus, the FIR was registered. On registration of FIR, investigation commenced. Petitioner was arrested on 08.09.2023. On completion of investigation, challan was presented and on framing of charges, the trial commenced. Petitioner approached the learned Judge, Special Court, Sri Muktsar Sahib, for grant of bail, however, after hearing both the sides, the said relief was declined to her vide order dated 15.04.2024. Being aggrieved, petitioner earlier approached this Court by way of filing CRM-M-6956-2025, however, the same was dismissed as withdrawn vide order dated 16.07.2025. Hence, petitioner is before this Court by way of filing the present second petition for grant of concession of regular bail.

3. Learned counsel for the petitioner has contended that the petitioner has been falsely implicated in the present case. He has contended that the alleged occurrence has taken place on 19.03.2023. He has submitted that the petitioner along with co-accused has been alleged



to have caused injuries to deceased Rahul. He has contended that the alleged injury qua the petitioner is with the brick bat on the forehead of the deceased. He has further contended that the petitioner is a lady and the alleged weapon of offence is a brick bat. He has submitted that the petitioner was not armed with any lethal weapon and no specific role has been attributed to her in causing fatal injury to the deceased. He has submitted that from the case of the prosecution, the intention for committing murder is not made out. He has, thus, submitted that the offence of culpable homicide amounting to murder is not even prima facie made out against the petitioner. To buttress his arguments, learned counsel has contended that petitioner is behind bars from last more than 2½ years and she has no criminal antecedents thus, right of speedy trial is miserably defeated in the present case. He has also submitted that co-accused, namely, Monika and Ankush Kumar has already been granted bail by the trial Court. He thus, prayed for concession of regular bail to the petitioner.

4. Learned State counsel has, however, opposed the submissions made by learned counsel for the petitioner. He has submitted that the petitioner duly participated in the alleged occurrence. He has submitted that the brick bat blow given by the petitioner has resulted into the death of deceased, namely, Rahul. He has submitted that the ocular version is medically corroborated. He, on instructions, has submitted that out of 31 prosecution witnesses, 04 witnesses have been examined. He has also submitted that co-accused, namely, Monika and Ankush Kumar caused injuries to the injured, not to the deceased. He has placed on record the custody certificate of the petitioner.



5. After hearing counsel for the parties and perusing the record, it is deciphered that the alleged occurrence has taken place on 19.03.2023. The postmortem shows there are two injuries suffered by the deceased out of which, injury No.1, alleged on the forehead of the deceased, has been attributed to the petitioner with a brick-bat. It has been vehemently contended before this Court that in the facts and circumstances of the case when the petitioner was not even armed with any lethal weapon, *prima facie* offence under Section 302 IPC is not even made out. Custody certificate filed by the State shows that the petitioner has undergone incarceration of 02 years, 06 months and 20 days as on 31.03.2026. It further reflects that the petitioner is not involved in any other case. Needless to say that every accused has the fundamental right of speedy trial.

6. The Hon'ble Supreme Court in *Ashim @ Asim Kumar Haranath Bhattacharya @ Asim Harinath Bhattacharya @ Aseem Kumar Bhattacharya Vs. National Investigation Agency, 2022(1) SCC 695* has held as under:

“Deprivation of personal liberty without ensuring speedy trial is not consistent with Article 21 of the Constitution of India. While deprivation of personal liberty for some period may not be avoidable, period of deprivation pending trial/appeal cannot be unduly long. At the same time, timely delivery of justice is part of human rights and denial of speedy justice is a threat to public confidence in the administration of justice.”

7. The Hon'ble Supreme Court in a recent decision dated 03.07.2024 in *Javed Gulam Nabi Shaikh Vs. State of Maharashtra, Criminal Appeal No. 2787 of 2024*, has held that howsoever serious a



crime may be, an accused has the right to speedy trial under the Constitution of India.

8. The veracity of the allegations would be assessed only after conclusion of the trial and on the appreciation of evidence to be led by both the parties before the trial Court. The trial of the case will take sufficiently long time. Thus, keeping in view the overall facts and circumstances of the case, this Court is of the opinion that learned counsel for the petitioner succeeds in making out a case for grant of regular bail. Accordingly, the present petition is allowed and the petitioner is ordered to be released on bail on her furnishing bail/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate. Nothing said herein shall be treated as an expression of opinion on the merits of the case.

01.04.2026

m.sharma

(RAJESH BHARDWAJ)

JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No