



IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH
(113) CRM-M-70577-2025 (O & M)
Date of decision: 07.03.2026

Pinky Petitioner

V/s

State of Haryana ...Respondent

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. Arman Goyal, Advocate,
for Mr. Abhimanyu Jangra, Advocate,
for the petitioner.

Mr. Viney Phogat, DAG, Haryana.

JASJIT SINGH BEDI, J. (Oral)

The prayer in this petition under Section 439 Cr.P.C. is for the grant of the regular bail to the petitioner in case FIR No.602 dated 30.06.2024 under Sections 302, 323, 307, 289, 509 and 34 IPC (Sections 323, 307 IPC deleted during the investigation) registered at Police Station Palla, District Faridabad.

2. The present FIR came to be registered at the instance of Rukshana and reads as under:-

To, Chowki Incharge, Naveen Nagar, Faridabad Sir, I request that I, Rukshana wife of Mohammad Azad Ansari, resident of tenant at street no. 8, near Saraswati School, Roshan Nagar. Last night at around 10.30 pm, I came home from duty and started climbing the stairs towards my room, when Bharat's dog, who lives in my neighbor, bit my left leg and when I screamed, my husband came and my neighbour Bharat and his wife Pinky also came. When my husband told them about the dog bite, both husband and wife started abusing us and Pinky suddenly took an iron pipe from her house and ran towards my



*husband to hit him and when I tried to intervene, Bharat caught me with both hands and Pinky hit my husband on the head with the iron pipe several times. At that very moment my husband fell down and became unconscious, their dog had bitten my husband earlier also and yesterday Bharat had also kicked and punched my husband. I took my husband to B.K. Hospital Faridabad and B.K. Hospital referred my husband to Trauma Centre, after which we got him admitted to Shrisut Trauma Centre, Loknayak Hospital, Delhi, and now my husband is admitted here. Their dog has bitten my husband as well. Legal action should be taken against them RTI Ruksana 8447839956
XXXX*

3. The learned counsel for the petitioner contends that the occurrence took place on the spur of the moment. Therefore, the offence, if any, would be one under Section 304 IPC (Section 105 BNS, 2023). Co-accused i.e. the husband of the petitioner, namely, Umesh Kumar @ Bharat has been granted the concession of bail by this Court vide order dated 25.09.2025, Annexure P-8. As the petitioner is a first-time offender, in custody since 21.03.2025 but none of the 23 witnesses has been examined so far, the Trial of the present case is not likely to be concluded anytime soon and therefore, she is entitled to the concession of bail.

4. The learned State counsel, on the other hand, contends that the petitioner-Pinky is the main accused having inflicted a fatal injury on the head of the deceased. Her case is different from that of her husband-Umesh Kumar @ Bharat. Therefore, she is not entitled to the concession as prayed for. He, however, concedes that the petitioner is a first-time offender, in custody since 21.03.2025 and none of the 23 prosecution witnesses has been



5. I have heard the learned counsel for the parties.
6. As per the case of the prosecution, the occurrence took place on the spur of the moment on a trivial issue. It would be a moot point during the course of the Trial as to whether the offence made out is one under Section 302 IPC (Section 103 BNS, 2023) or Section 304 IPC (Section 105 BNS, 2023). The petitioner is a lady, a first-time offender, in custody since 21.03.2025 but none of the 23 prosecution witnesses has been examined so far. Therefore, the Trial in the present case is not likely to be concluded anytime soon. In this situation, the further incarceration of the petitioner is not required, moreso, when a co-accused/her husband-Umesh Kumar @ Bharat has been granted the concession of bail.
7. Thus without commenting on the merits of the case, the present petition is allowed and the petitioner-Pinky is ordered to be released on bail subject to her furnishing bail bonds and surety bonds to the satisfaction of learned CJM/Duty Magistrate, concerned.
8. The petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

March 07, 2026
sukhpreet

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