IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M No.49630 of 2025

Pawanjeet Kaur @ Pawanjit Kaur
@ Babbo ... Petitioner

Versus

State of Punjab and another ... Respondents

1.	The date when the judgment is reserved	12.01.2026
2.	The date when the judgment is pronounced	15.01.2026
3.	The date when the judgment is uploaded on the website	15.01.2026
4.	Whether only operative part of the judgment is pronounced or whether the full judgment is pronounced	Full
5.	The delay, if any, of the pronouncement of full judgment, and reasons thereof	Not applicable

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Ruhani Chadha, Advocate and
Mr. Kashav Chadha, Advocate,
for the petitioner.

Mr. Roshandeep Singh, AAG, Punjab,
for the respondent-State.

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MANISHA BATRA, J.

1. The present petition has been filed by the petitioner under

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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**
71	12.05.2022	Majitha, District Amritsar Rural	302, 120-B, 148 and 149 of IPC

2. Brief facts relevant for the purpose of disposal of this petition are that the aforementioned FIR was registered on the basis of statement recorded by the complainant Rajwinder Kaur alleging therein that the victim Bagicha Singh was her elder brother. On 10.05.2022, her cousin brother Kabal Singh and his wife Pawanjeet Kaur @ Babbo i.e. the present petitioner called Bagicha Singh to Village Bhangwan on some pretext. At about 7 PM, the complainant while searching for her brother had reached near the residential shed of Jasbir Singh @ Fauji and had found the said Jasbir Singh, his son and nephews who were total 4-5 in number while inflicting injuries upon her brother who was raising voice for helping him while saying that he had not set the sugarcane crop of Jasbir Singh on fire. Thereafter, Jasbir Singh himself gave information to the police and her brother was firstly shifted to Civil Hospital Majitha and then to Amritsar. He succumbed to the injuries sustained by him on the next night. By alleging that the accused Kabal Singh and Pawanjeet Kaur by hatching a conspiracy with Jasbir Singh and his family members, had allured Bagicha Singh to go to Village Bhangwan and had caused his homicidal death as they intended to grab 02 kanals of agricultural land owned by the family of the complainant which was under cultivation of Jasbir Singh @ Fauji.

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3. After registration of FIR, investigation proceedings were initiated. Postmortem examination of dead body was conducted. On 14.05.2022, a representation was made by one Amrik Kaur claiming innocence of Jasbir Singh and his family members. An inquiry was conducted. It was revealed that the complainant had leased 02 kanals of land to Jasbir Singh and accused Kabal Singh, cousin of the complainant with an intention to grab the same had conspired to call the victim to Village Bhangwan where the crop belonged to Jasbir Singh was set on fire and thereafter injuries were inflicted upon Bagicha Singh who was left abandoned in the residential shed of Jasbir Singh so that latter could be implicated. Jasbir Singh and his family members were found to be innocent. The complainant also recorded her supplementary statement on the basis of which the present petitioner, her husband Kabal Singh, son Gurpreet Singh had been implicated as accused. The petitioner had absconded. Proceedings for declaring her a proclaimed person were initiated and she was declared as such on 30.11.2024.

4. As per the further allegations, the petitioner was arrested on 19.02.2025. Investigation qua her stands concluded and a supplementary challan has been presented against her.

5. It is argued by learned counsel for the petitioner that she has been falsely implicated in this case. She was not named as assailant of the victim. There is unexplained delay in lodging of the FIR. There is no eye-witness to the factum of her assaulting the victim. The subject offences are

not at all made out against her. The trial will take considerable time to conclude as no prosecution witness has been examined so far. Her continued detention would not serve any useful purpose. It is, thus, argued that she deserves to be extended benefit of bail.

6. Status report and custody certificate have been filed. Learned Assistant Advocate General, Punjab has argued that there are serious and specific allegations against the petitioner who had hatched a conspiracy with the co-accused and in pursuance thereof, injuries were inflicted upon the victim and he had succumbed to the same. Her active complicity in the subject crime stands prima facie established. There are chances of her intimidating the witnesses or absconding as she was declared a proclaimed person earlier also, if she is extended benefit of bail. There is nothing on record to show that there would be any undue delay in conclusion of the trial. With these broad submissions, it is stressed that the petition does not deserve to be allowed.

7. This Court has considered the rival submissions.

8. The petitioner by hatching a conspiracy with the co-accused is alleged to have formed an unlawful assembly with them and in pursuance thereof, injuries were inflicted upon the victim which caused his homicidal death. Though the FIR was registered way back in the year 2022, however, the petitioner could be arrested only on 19.02.2025. She was declared a proclaimed person. The trial has recently commenced. Taking into consideration the nature of the allegations as levelled against the petitioner,

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the quantum of sentence which the conviction may entail and the attendant facts and circumstances, this Court is of the considered opinion that the petitioner does not deserve to be extended benefit of bail. Accordingly, the petition is dismissed.

9. It is, however, clarified that observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

(MANISHA BATRA)
JUDGE

15.01.2026
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Whether speaking/reasoned Yes/No
Whether reportable Yes/No