

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

2025:PHHC:140299



207

CRM-M-29153-2025 (O&M)
Date of Decision: 09.10.2025.

Neha Kumari

...Petitioner.

Versus

State of Punjab

...Respondent.

CORAM: HON'BLE MRS. JUSTICE SUKHVINDER KAUR

.....

Present: Mr. Naresh Kumar Jandoli, Advocate
for the petitioner.

Mr. P.S. Pandher, AAG, Punjab.

SUKHVINDER KAUR, J. (Oral)

Present petition has been filed under Section 482 of BNSS for grant of anticipatory bail to the petitioner in FIR No.36 dated 18.02.2025 under Sections 305, 331(3) of BNS, registered at Police Station City, District Hoshiarpur.

The relevant brief facts of the case are that complainant Rahul Jain made a statement to the police that for doing his household work, accused Reena sent accused Neha to his house and she did the work for 15-20 days. On 09.02.2025 at about 10.00 A.M. accused Neha came to their house and had stolen one gold Mangal Sutra weighing 35 grams, one gold chain weighing 1.5 tola, one pair of ear ring weighing 5 grams, one ring weighing 3 grams and one set of gold weighing 20 grams from the almirah. All the accused in furtherance of their common intention had committed theft in his house. Accused Reena admitted that she had the Mangal Sutra

which was in possession of her husband i.e. co-accused Gabbar, whereas the remaining gold ornaments were with the petitioner. On the basis of the said allegations, the present FIR has been registered.

Learned counsel for the petitioner has contended that the petitioner has been falsely implicated in the present case. The petitioner was a minor at the time of the alleged occurrence. He has further contended that the petitioner has been nominated as an accused only on the basis of suspicion and there is no material on record to connect her with the alleged offences. He prayed that custodial interrogation of the petitioner is not required and she is ready and willing to join the investigation and the present petition be allowed.

Learned State counsel has opposed the petition and submitted that in view of the allegations levelled against the petitioner, she is not entitled to the concession of bail.

Heard.

As per status report submitted by learned State counsel, police of Police Station City, Hoshiarpur verified the date of birth of the petitioner and as per the Date of Birth Certificate Annexure P3, her date of birth is 01.01.2008 and petitioner was 17 years, 06 months and 24 days old at the time of the alleged occurrence in the present case and as such she was a minor. Co-accused Reena has already been arrested in the present case. The gold Mangal Sutra had already been recovered. Except the statement of the complainant that as told by co-accused Reena to him that the gold ornaments were lying with the petitioner, there is no other material on record to support that gold ornaments were with the petitioner. The custodial interrogation of the petitioner is not required for any purpose and

no useful purpose would be served by sending the petitioner behind bars.

Accordingly, without commenting on the merits of the case, the present petition is allowed. In the event of her arrest, the petitioner is ordered to be released on bail, on her furnishing bail/surety bonds, to the satisfaction of the Arresting Officer/ Investigating Officer, subject to the conditions, as provided under Section 482(2) of BNSS. It will be open for the Investigating Officer to call the petitioner to join investigation, if so required, by issuing a written notice in this regard and she shall abide by the conditions mentioned in Section 482(2) of the BNSS.

However, nothing observed herein above shall be construed to be an expression of opinion on the merits of the case. The observations recorded above are only for the purpose of deciding the present bail application.

Pending application(s), if any, shall also stand disposed of.

(SUKHVINDER KAUR)
JUDGE

09.10.2025.

Komal

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