



**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

**CRM-M-23754-2025 (O&M)
Date of Decision: 08.05.2025**

KavitaPetitioner(s)

Vs.

State of PunjabRespondent(s)

CORAM: HON'BLE MRS. JUSTICE SUDEEPTI SHARMA

Present: Mr. G.S.Sandhu, Advocate and
Ms. Vibha Nagar, Advocate for the petitioner.

Mr. Harkanwar Jeet Singh, AAG, Punjab.

SUDEEPTI SHARMA.J. (ORAL)

1. The present petition has been filed by the petitioner for grant of pre-arrest bail in FIR No.0048, dated 17.04.2025, registered at PS Khuhi Khera, District Fazilka, under Sections 127(2), 115(2) of the Bharatiya Nyaya Sanhita, 2023 and Section 75 of Juvenile Justice (Care and Protection of Children) Act, 2015.

2. Learned counsel for the petitioner contends that the FIR was lodged after 32 days of the incident. Further that the petitioner is just a neighbourer and she did not have any control over the child, therefore, provisions of Section 75 of Juvenile Justice (Care and Protection of Children) Act, 2015 are not applicable against her. And statement of the victim is not recorded and the FIR is lodged on the basis of the statement made by his mother.



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3. Mr. R.S.Dhillon, Advocate has put in appearance on behalf of the complainant and contends that the victim is 07 years old boy and four injuries were found on his person. Further that the child was beaten up by the petitioner and her daughter by bolting the door of their house from inside. Further that the villagers are witness to the same since the accused opened the gate in their presence and when the complainant met her son, he was crying badly. And there were many injuries on both left and right hands of her son and complainant saw marks on his left leg as well.

4. After hearing the learned counsel for the parties and keeping in view nature of offence committed by the petitioner as per the FIR against a child who is 7 years old, this Court is of the considered view that it is necessary to ascertain that in which circumstances son of the complainant was detained and beaten by the petitioner and her daughter for which custodial interrogation of the petitioner is required.

5. In view of the above, no ground is made out to grant concession of anticipatory bail to the petitioner and the present petition is hereby dismissed.

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

May 08, 2025
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(SUDEEPTI SHARMA)
JUDGE

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