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202 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-26459-2025

Date of decision: 28.08.2025

URMILA

...PETITIONER

VERSUS

STATE OF HARYANA

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Ms. Neha Bindal, Advocate for
Mr. Satnam Singh Gill, Advocate for the petitioner.

Mr. Atul Gaur, AAG, Haryana.

ANOOP CHITKARA, J. (ORAL)

FIR No.	Dated	Police Station	Sections
93	16.03.2025	Sadar Sirsa, District Sirsa (Haryana)	305/317(2) of BNS, 2023

1. The petitioner apprehending arrest in the FIR captioned above has come up before this Court under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, [BNSS], seeking anticipatory bail.
2. Vide order dated 15.05.2025, the petitioner was granted interim bail, which continues to date.
3. The facts and allegations are being taken from the reply filed by the State, which reads as follows:

“To, SHO Sahab, Police Station Sadar Sirsa. Sir, It is respectfully submitted that I am Om Prakash son of Gyan Chand is resident of village Nanakpur and work in furniture business. My son Jashandeep is having friendship with Aryan son of Prem Chand, Arsh son of Ravinder, Divyansh son of Makhan Lal and Sandeep son of Ramchand residents of village Nanakpur. Urmila Rani wife of Buta Ram of my village and her son Raj Kumar are in contact with drug addicts 'type boys and when drug addicts type boys need money for drugs, they steal gold and silver jewelry from their own home and give them some money and used to rob them. On 06.03.2025, my son Jashandeep also got into their talks and stole gold and silver jewelry about 1½ tola of gold and about 20 tolas of silver from my house to satisfy his drug addiction and in collusion with his abovementioned friends he gave all the gold and silver jewelry to Urmila Rani (Present Petitioner/accused), who after giving few rupees to my son and his friends to buy drugs had grabbed my gold and silver jewelry. Nowadays, due to the increasing drug addiction in the society, women like Urmila (Present Petitioner/accused) are doing very irresponsible work by involving children in drugs. Urmila's son also used



to sell liquor and drugs. Therefore, I requested that legal action be taken against all the above accused including my son Jasandeep and the stolen ornaments from our house be recovered.”

4. Counsel for the petitioner submits that the petitioner has been falsely implicated in the present FIR and nothing has been recovered from her. The petitioner's counsel prays for bail by imposing any stringent conditions and contends that pre-trial incarceration would cause an irreversible injustice to the petitioner and their family.

5. Counsel for the petitioner submits (without conceding and admitting) that the petitioner be given one opportunity to live like a good citizen. She further prays for bail by imposing any stringent conditions including surrender of fire arms, if any. In case, she repeats the offence or commits any offence, she would have no objection, if State files an application for cancellation of her bail.

6. The State's counsel opposes bail and refers to reply.

7. It would be appropriate to refer to the following portions of the reply, which read as follows:

“4. That the contents of para No.4 of the petition are wrong and incorrect. During investigation it was found that petitioner/accused has taken/pledged stolen gold locket from co-accused Jashandeep and advanced him Rs.20,000/- in lieu of stolen gold locket. The petitioner/accused has found involved in taking/possessing stolen gold locket from co-accused Jashandeep for Rs.20,000/-. Detailed reply has already been given in forgoing paras.”.

REASONING:

8. Although the evidence might be prima facie sufficient to launch prosecution or to frame charges, but this Court is not considering the evidence at that stage but is analyzing the same for the bail stage.

9. Nothing has been recovered from the petitioner. The petitioner was granted interim protection, and in the interregnum, there is no allegation that she had intimidated the witnesses, hampered the investigation, or, despite being called to join the investigation, did not appear before the investigator. Given the above, there would be no justification to discontinue the interim protection, which is made absolute.

10. The petitioner is directed to join the investigation within seven days and as and when called by the Investigator. The petitioner shall be in deemed custody for Section 27 of the Indian Evidence Act. The petitioner shall join the investigation as and when called by the Investigating Officer or any Superior Officer and shall cooperate with the investigation at all further stages as required. In the event of failure to do so, the prosecution will be open to seeking cancellation of the bail. During the investigation, the petitioner shall not be subjected to third-degree, indecent language, inhuman treatment, etc.

11. Any observation made hereinabove is neither an expression of opinion on the case's



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merits nor shall the trial Court advert to these comments.

12. Petition allowed in terms mentioned above. Interim order dated 15.05.2025 is made absolute. All the pending application(s), if any, stand disposed of.

28.08.2025
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(ANOOP CHITKARA)
JUDGE

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