

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

225

CRM-M-25423-2025
DECIDED ON: 15.05.2025

JASBIR KAUR

.....PETITIONER

VERSUS

STATE OF PUNJAB

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. G.S.Bawa, Advocate for the petitioner.

Mr. Rajiv Verma, Sr. DAG, Punjab.

SANDEEP MOUDGIL, J (ORAL)**1. Relief sought**

The jurisdiction of this Court has been invoked under Section 483 of Bhartiya Nagarik Suraksha Sanhita, 2023 for the grant of regular bail to the petitioner in case FIR no. 90 dated 18.09.2024 under sections 309(4), 191(3), 190 of Bhartiya Nyaya Sanhita, 2023 and sections 25, 27 of Arms Act 1959 (Sections 310(2), 61(2), 249, 111(2), 111 (3) and 111(5) of BNS were added subsequently) registered at police station Kathu Nangal, District Amritsar Rural (Annexure P-1).

2. Prosecution story setup in the present case as per the version in the FIR as under:-

'Statement of manager Harminder Singh son of Jaswant Singh, resident of House No. 658, Hargobind Avenue, Majitha Road, Amritsar, mobile no. 94172-73742 stated that I am a resident of the above address and I am posted as a Manager in HDFC Bank, branch Majhwind, since January



2020. Today, dated 18-09-2024 at about 3:10 PM, five persons came outside the bank. At that time, the bank's cleaner Som Pal son of Swarn Pal resident of Luddhar was sweeping outside the bank. Those five persons brought him inside the bank. At the bank gate, security guard Paras Bhandari was standing. Those five persons pushed him and entered the bank forcefully. One of them held the collar of the security guard Paras Bhandari. When he tried to rescue himself, two individuals took out their pistols. One person took out a desi katta (country-made pistol) and Two persons entered the bank empty-handed. At that time inside the bank, the employees present were: Manoj Bedi son of Davinder Kumar Bedi resident of Street No. 2, opposite Govt. Senior Secondary School, Chheharta, Mandeep Singh son of Sukhdev Singh resident of village Fatehgarh Shukarchak, Gagandeep Kaur daughter of Ranjit Singh resident of House No. 1153, Sandhu Colony, Majitha Road, Amritsar, Paras Bhandari son of Rajesh Kumar resident of Changaon Road, Chawinda Devi (security guard), Sompal son of Swarn Pal resident of Luddhar. Customers: Amanpreet Kaur wife of Gurinder Singh, resident of Ajaibwali, Husanpreet son of Gulshan Singh resident of Ajaibwali, Talwinder Singh son of Surjan Singh resident of Kaler Mangat were present. Then those individuals took mobile phones from all the employees and customers and kept them with themselves. They gathered all staff and customers at one place and made them sit. Then one of those individuals who had a pistol went to the cash counter. At that time, cashier Gagandeep Kaur was present at the counter. Another person with a pistol told employee Manoj Bedi to give the DVR of the CCTV cameras. That person and Manoj Bedi went toward my room. The DVR was installed in the room adjacent to my room. That person went inside that room and removed the DVR. Then the person who was in the cash counter placed the cash in the cashier's bag and asked for another bag. One of his companions emptied my laptop bag and handed it to the person at the cash counter, who also filled my bag with cash. Then while leaving,

those five unidentified persons took the shutter keys from cashier Gagandeep Kaur along with the cash-filled bags and the mobile phones and went outside. After going out, they dropped the shutter down and threw the mobile phones and keys outside the shutter and ran away. These five unidentified persons had come riding two motorcycles and fled the scene with the cash-filled bags. We then informed you. Upon detailed checking of the cash by cashier Gagandeep Kaur, it was found that those five unidentified persons fled with a total amount of Rs. 25,70,580/-. Legal action should be taken against those five unidentified individuals. I have given this statement to you, read and found it correct. Sd/- Harminder Singh Verified: True / Correct / Narinder Singh, SI, Police Station Kathunangal, Date: 18-09-2024.'

3. **Contentions**

On behalf of the petitioner

Learned counsel for the petitioner contends that the only allegation against the petitioner is that she provided shelter to one of the alleged co-accused namely Karanbir Singh @ Kannu after the incident had taken place and there is no allegation of her involvement in the actual planning, execution or facilitation of dacoity. He submits that the petitioner was arrested solely on the basis of the disclosure statement of co-accused. He further submits that the petitioner is a senior citizen aged about 65 years and is suffering from various age related ailments. He contends that no recovery has been effected from the petitioner.

On behalf of the State and complainant

On the other hand, learned State counsel has produced the custody certificate of the petitioner today in Court, which is taken on record. They seek dismissal of the instant petition on the ground that the petitioner



provided stay to accused Karanbir Singh @ Kannu in her home after dacoity in order to protect him from arrest at the hands of the police officials.

4. Analysis and conclusion

In the present matter, the accusations against the petitioner are serious as she has provided shelter to the accused persons and thereby she has actively participated in the commissioning of the offence. Also, the custody period suffered by the petitioner is on the lesser side i.e. 2 months and 17 days, moreso, charges are yet to be framed so, there is every possibility that if the petitioner is granted bail at this stage, she may try to influence the witnesses or tamper with the evidence.

Given the direct allegations and the gravity of the offence, this Court is of the view that the petitioner does not deserve the benefit of regular bail at this stage, notwithstanding the period already undergone in custody.

In light of the aforementioned circumstances, particularly the petitioner's role, no ground is made out for granting the relief of regular bail at this stage.

Accordingly, the present bail petition is dismissed for lack of merit.

Dismissed. No order as to costs.

However, it is made clear that the observations made herein above shall have no bearing in the mind of the trial court while adjudicating the matter in accordance with law.

**(SANDEEP MOUDGIL)
JUDGE**

15.05.2025

anuradha (a)

*Whether speaking/reasoned
Whether reportable*

*Yes/No
Yes/No*