

**IN THE COURT OF ADDITIONAL SESSIONS JUDGE,
SAS NAGAR
PRESIDED OVER BY RAJESH AHLUWALIA (UID NO.PB0281)**

CNR No. PBSA01000015-2026

CIS No. BA-02-2026

Date of Order: 05.01.2026

Mandeep Kaur, aged about 33 years, wife of Vicky, r/o Village Majri,
Block Majri, Tehsil Kharar, District SAS Nagar, Mohali

..Applicant/Accused.

Versus

State of Punjab

...Respondent.

FIR No. 98 dated 04.10.2025

U/s 115(2), 126 (2), 118, 351(3),

191,190 of BNS

Police Station: Block Majri

**Bail application under Section 482 of the Bharatiya Nagarik Suraksha
Sanhita, 2023 (BNSS) for grant of anticipatory bail to the applicant.**

Present: Sh. Amit Sharma, Advocate counsel for applicant/accused
Sh. J.S. Atwal, Addl. PP for the State

ORDER:

1. Heard on bail application filed by applicant/accused
Mandeep Kaur under Section 482 of the Bharatiya Nagarik Suraksha
Sanhita, 2023 (BNSS) for grant of anticipatory bail praying that she has
been falsely implicated in the present FIR.

2. Notice of bail application was served upon Addl. PP for State and record was summoned. Investigating Officer ASI Parminder Kumar appeared in Court alongwith record and suffered statement that he is investigation officer and FIR No.98 dated 04.10.2025 registered under Sections 115(2), 126(2), 351(3), 191(3) and 190 of BNS, 2023 (old Sections 323, 341, 34 of IPC) on the statement of Gurbhag Singh son of Balbir Singh against 5 persons namely Shanty, Vicky, Surjit Singh, Amarjit Kaur and Mandeep Kaur regarding beatings to him, Akamjot Singh and Bhupinder Kaur on 03.10.2025. During investigation after obtaining MLR of Akamjot Singh, Gurbhag Singh and Bhupinder Kaur, DDR No. 14 on dated 19.11.2025 section 118(1) was added in the FIR regarding injuries on the person of Akamjot Singh and Gurbhag Singh. Further during investigation, vide DDR No.11 dated 03.12.2025 section 118(2) was added regarding injuries on left arm of Akamjot Singh, injuries on left arm of Gurbhag Singh was declared grievous by the board. Shanty is already arrested on 06.12.2025 and in judicial custody now. Weapon of incident (kirpan) was got recovered by Shanty during investigation. Vicky, Surjit Singh, Amarjit Kaur and Mandeep Kaur remains to be arrested.

3. The brief facts of the prosecution are that the present FIR was registered on 04.10.2025 on the statement of Gurbhag Singh wherein he has submitted that on 03.10.2025 at about 10.15 PM he was in his house and heard some noises outside in the street whereupon he came out and found many people gathered in the street. He went little ahead where

Shanty came alongwith Kirpan and gave kirpan blow on the wrist of his right arm. Elder brother of Shanty namely Vicky also came there. Shanty, his father Surjit Singh and mother Amarjit Kaur started throwing stones on him. His nephew Akamjot Singh came forward to save him, whereupon Shanty gave kirpan blow on left arm of his nephew and Vicky gave blow of pipe on his back. Thereafter, Mandeep Kaur wife of Vicky also came there and started abusing them. His(complainant) chachi (anunt) Bhupinder Kaur came forward to save them whereupon Vicky gave blow of pipe to his aunt. All of them fled away by giving them threats. He and Akamjot Singh taken to Civil Hospital Kurali from where they were referred to Civil Hospital Mohali from where they were sent to PGI.

4. Ld.Counsel for the applicant/accused has argued that applicant has been falsely implicated in the present case. The alleged injury on the person of complainant Gurbhag Singh and Akamjot was attributed to Shanty who was already arrested. Applicant Mandeep Kaur being sister in law of Shanty is falsely implicated in the present case just to pressurize them even no injuries is attributed to her in the statement of complainant. There are no injuries of alleged to had been inflicted with stones and pipe on the body of Gurbhag Singh and Akamjot Singh as per MLR produced by the Investigation Officer. Applicant is ready to join the investigation and prayed that present bail application be allowed.

5. On the other hand, ld. APP for the State has argued that offence is serious in nature and finally prayed for dismissal of bail application.

6. In the present case, as per the prosecution story initially the FIR was registered on the complaint of Gurbhag Singh under 115(2), 126(2), 351(2), 191,190 of BNS 2023 and later on offence u/s 118 (2) of BNS was added after obtaining medical opinion. Bare perusal of the medical record of Akamjot Singh and Gurbhag Singh produced by the Investigation Officer in the court clearly reveals that there is only one injury on the left forearm of Akamjot Singh and one injury on the left forearm of Gurbhag Singh. There are no injuries on their person as per the MLR regarding being resulted with stone peddling or the blow of pipes as alleged by the complainant in his statement. Bare perusal of the statement of complainant Gurbhag Singh clearly reveals that he has named Shanty (already arrested) as the assailants who inflicted injuries with kirpan to him and Akamjot and as per MLR there exists only one injury on the left forearm of both Gurbhag Singh and Akamjot Singh. Taking into consideration the facts that the injuries on the forearms of Gurbhag Singh and Akamjot Singh are on non vital parts of the body and as per the statement of Gurbhag Singh were attributed to accused Shanty who stands already arrested, weapon (Kirpan) as per the record produced by the IO is already recovered and there is no corresponding injuries on any part of the body of both injured as per the MLR as alleged by the complainant in the statement made to the police, the allegations that applicants abused him and had thrown stones upon him is a debatable issue which is to be considered during the trial. Hon'ble Apex Court has laid down principles and guidelines which are to be considered and taken into consideration at

the time of deciding a bail application as outlined in **Gurbaksh Singh Sibbia vs. State of Punjab, (SC)** : Law Finder Doc Id # 104574 reported in 1980 AIR(SC) 1632 **Bhadresh Bipinbhai Sheth v. State of Gujarat and Another** : Law Finder Doc Id # 705395 reported in 2015 AIR(SC) 3090 **Sushila Aggarwal and others** - Petitioners Versus State (NCT of Delhi) and another – Respondents : Law Finder Doc Id # 1674499 reported in 2020 AIR (SC) 831

(a) The nature and gravity of the accusation and the exact role of the accused must be properly comprehended before arrest is made; (b) The antecedents of the applicant including the fact as to whether the accused has previously undergone imprisonment on conviction by a court in respect of any cognizable offence; (c) The possibility of the applicant to flee from justice; (d) The possibility of the accused's likelihood to repeat similar or other offences; (e) Where the accusations have been made only with the object of injuring or humiliating the applicant by arresting him or her; (f) Impact of grant of anticipatory bail particularly in cases of large magnitude affecting a very large number of people; (g) The courts must evaluate the entire available material against the accused very carefully. The court must also clearly comprehend the exact role of the accused in the case. The cases in which the accused is implicated with the help of Sections 34 and 149 of the Penal Code, 1860 the court should consider with even greater care and caution, because over implication in the cases is a matter of common knowledge and concern; (h) While considering the prayer for grant of anticipatory bail, a balance has to be struck

between two factors, namely, no prejudice should be caused to free, fair and full investigation, and there should be prevention of harassment, humiliation and unjustified detention of the accused;

(i) The Court should consider reasonable apprehension of tampering of the witness or apprehension of threat to the complainant; (j) Frivolity in prosecution should always be considered and it is only the element of genuineness that shall have to be considered in the matter of grant of bail and in the event of there being some doubt as to the genuineness of the prosecution, in the course of events, the accused is entitled to an order of bail.

7. In the present case also, taking into consideration the facts discussed supra, as applicants are ready to join the investigation, custodial interrogation of the accused-applicant **Mandeep Kaur** at this stage appears to be not imminent. As such, without commenting upon the merits of the case and in order to facilitate the fair investigation, accused-applicant **Mandeep Kaur** is directed to join the investigation within a week and in the event of doing so, she will be released on **interim bail** to the satisfaction of Arresting Officer/Investigating Officer and applicant **Mandeep Kaur** is directed to cooperate in the investigation, subject to conditions as enshrined in section 482(2) of BNS.

8. It is made clear that observation made herein above shall not be construed as an expression on the merits of the main case. Now to come up on **14.01.2026** for awaiting report from concerned Investigation Officer of

the police station as to whether applicant has joined the investigation or not
as per the orders of the Court.

Note: Certified that 7 pages of this order
is signed by me, which has been
dictated by me and typed by Judgment
Writer directly on computer.

Pronounced in Open Court.

Dated: 05.01.2026

Lakhwinder Kaur

(Rajesh Ahluwalia)
Additional Sessions Judge
SAS Nagar, Mohali
UID No. PB0281

Mandeep Kaur Vs. State of Punjab

BA-02-2026

Present: Sh. Amit Sharma, Advocate counsel for applicant/accused
Sh. J.S. Atwal, Addl. PP for the State

Record produced. Arguments heard. Vide my separate detailed order of even date, the applicant/accused ***Mandeep Kaur*** is released on interim bail to the satisfaction of Arresting Officer/Investigating Officer. Now to come up on 14.01.2026 for awaiting report from concerned police station as to whether applicant has joined the investigation or not.

Pronounced in Open Court.

Dated: 05.01.2026

(Rajesh Ahluwalia)
Additional Sessions Judge
SAS Nagar, Mohali
UID No. PB0281

Lakhwinder Kaur