

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

2025:PHHC:116797



203

CRA-S-2257-2025 (O&M)
Date of Decision: 29.08.2025.

Manjeet Kaur

...Appellant.

Versus

State of Punjab and another

...Respondents.

CORAM: HON'BLE MRS. JUSTICE SUKHVINDER KAUR

.....

Present: Mr. Amit Kumar, Advocate for the appellant.

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

SUKHVINDER KAUR, J.

Appellant has filed appeal against impugned order dated 14.07.2025 passed by learned Additional Sessions Judge, Rupnagar, vide which his anticipatory bail application in FIR No.111 dated 01.07.2025, under Sections 3(1) S of SC/ST (Prevention of Atrocities) Act, registered at Police Station Nangal.

Learned counsel for the appellant has contended that provision of SC/ST Act are not attracted in the present case as the allegations in the FIR are solely based on a private altercation between two women, who are relatives and do not belong to SC/ST category. The alleged incident took place within the private resident which cannot be said to be public place. The trial Court had not appreciated the overall facts in the present case while dismissing the anticipatory bail application.

Learned counsel representing the State filed status report and opposed the bail application while contending that the custodial

interrogation of the appellant is required for fair investigation of the case and therefore, she does not deserve the concession of anticipatory bail.

I have considered the arguments and have gone through the record carefully.

As per status report submitted on the record the altercation/occurrence in the present case took place within the confine of private residence of Anju Verma, who is sister-in-law of the appellant. Both the parties do not belong to SC/ST category and at the time of the alleged occurrence no person of SC/ST community was present at the spot. During investigation on 17.06.2025, the medical ruqa pertaining to Anju Verma, Riya Verma, Rohan Verma and appellant-Manjeet Kaur were received at Police Post Naya Nangal from Civil Hospital, Nangal informing therein that they had come to hospital with an alleged history of assault upon them and DDR No.29 dated 17.06.2025, was entered at Police Post Naya Nangal, in this regard. When Investigating Officer went to Civil Hospital, Nangal, to get their statements recorded on 19.06.2025 they furnished a joint affidavit/compromise stating therein that they had compromised the matter and they did not want to take any action against each other. During investigation, it also transpired that Aakash Verma son of Anju Verma transmitted the video of altercation to his friend Davinder Kumar, a person of Scheduled Caste Community, just to take help from him, who sent the same to complainant Ankush, who got recorded his statement to Incharge, Police Post Naya Nangal, on the basis of which the present FIR was registered. During investigation, it also transpired that the alleged derogatory remarks regarding caste were not made by the appellant Manjeet Kaur, particularly to complainant-respondent No.2 or any other person of SC/ST community

and no such person was present at the spot. Rather the same were uttered by appellant Manjeet Kaur to Anju Verma her sister-in-law, who does not belong to Scheduled Caste. As such, *prima facie* SC/ST Act is not attracted in the present case. So debar of Section 18 of the Act is not applicable in the present case. Custodial interrogation of the appellant is not required in the present case and nothing is to be recovered from her. No useful purpose would be served by sending her behind bars.

Considering the aforesaid facts, the anticipatory bail application filed by the appellant was wrongly rejected by learned Additional Sessions Judge, Rupnagar by passing the impugned order dated 14.07.2025.

Accordingly, without commenting on the merits of the case, the present appeal is allowed. In the event of her arrest, the appellant 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 appellant to join investigation, if so required, by issuing a written notice in this regard and they shall abide by the conditions mentioned in Section 482(2) of the BNSS.

**(SUKHVINDER KAUR)
JUDGE**

29.08.2025.

Komal

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