

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

CRM-M-11922-2022
Date of Decision: 23.09.2022

RENU SHARMA **VS.** **... PETITIONER**

STATE OF HARYANA **.. RESPONDENT**

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present : Mr.H.P.S.Sandhu, Advocate for
Mr. Shantanu Bansal, Advocate, for the petitioner.

Mr. Zorawar Singh Chauhan, DAG, Haryana.

Mr. Vivek Gupta, Advocate, for the complainant.

VIVEK PURI, J.(ORAL)

On 22.03.2022, the following order was passed:-

“Through instant petition, the petitioner is seeking anticipatory bail in case bearing FIR No. 29 dated 14.02.2022 under Sections 153-B (1)/295A/328/34/370 and 376 IPC, registered at Police Station Bajghera, District Gurugram.

At the very outset, learned senior counsel for the petitioner has pointed out that at the earlier instance, the petitioner had directly approached this Court seeking concession of anticipatory bail and in terms of the order dated 28.02.2022 (Annexure P-11), the petition was dismissed as withdrawn with liberty to approach the Court of Session in accordance with law. Subsequently, the application for anticipatory bail has been dismissed by the Court of Session and consequently, the petitioner had approached this Court seeking anticipatory bail.

Briefly, the allegations in the FIR are to the effect that the prosecutrix was having dispute with her husband and she had lodged two FIRs against him. She had been residing with the petitioner, her husband and sons since 12.12.2021 and was having sisterly relation with the husband of the petitioner. The petitioner had allegedly been asking the prosecutrix for conversion of the religion for which she refused. The prosecutrix was mentally tortured and physically abused by the petitioner and her husband. Even the petitioner had lodged a false case of rape on the father of the prosecutrix at Police Station Ratti. It has been further alleged that the petitioner had been administering some intoxicant substance and physical relations were being made by her husband.

It has been contended by learned senior counsel for the petitioner that false case has been foisted upon the petitioner as a counter blast to

the rape case lodged at her instance against the father of the prosecutrix. Furthermore, in-fact the petitioner and her husband had provided the shelter to the prosecutrix and her father in their house as she was having matrimonial discord with her husband.

Notice of motion.

Mr. Zorawar Singh Chauhan, Deputy Advocate General, Haryana, accepts notice on behalf of the respondent-State and seeks time to get instructions in the matter.

Mr. Vivek Gupta, Advocate, also accepts notice on behalf of the complainant.

Adjourned to 18.07.2022.

In the meanwhile, the petitioner is directed to join investigation and in the event of her arrest, she shall be released on interim bail to the satisfaction of the Investigating Officer/Arresting Officer subject to the conditions as envisaged under Section 438 (2) of Code of Criminal Procedure.”

Learned counsel for the petitioner contends that in pursuance of interim directions issued by this Court, the petitioner has joined the investigation.

Learned State counsel, on instructions from ASI Suman, has not assailed the aforesaid factual aspects and further contends that the custodial interrogation of the petitioner is not required.

Keeping in view the entire circumstances, sufficient grounds are made out to extend the concession of pre-arrest bail to the petitioner. Accordingly, order dated 22.03.2022, vide which the petitioner has been granted interim bail, is made absolute.

Petition is allowed.

23.09.2022
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(VIVEK PURI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether Reportable : Yes/No