

**IN THE HIGH COURT OF PUNJAB & HARYANA AT  
CHANDIGARH.**

**CRM-M-58134-2022(O&M)**

**Date of Decision:-13.04.2023**

**Ravneet Kaur.**

.....Petitioner.

Vs.

**State of Haryana.**

.....Respondents.

**CORAM:- HON'BLE MR. JUSTICE JASJIT SINGH BEDI**

Present:- Mr. Karan Dev Sharma, Advocate &  
Ms. Gurneet Sagoo, Advocate for the Petitioner.

Mr. Neeraj Poswal, Assistant Advocate General, Haryana.

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**JASJIT SINGH BEDI, J.(ORAL)**

The Prayer in this petition under Section 439 Cr.PC read with Section 482 Cr.PC is for the grant of regular bail in case FIR No.259 dated 384, 506, 511, 120-B IPC ( Sections 195, 195-A, 201 IPC) added later on registered at P.S. Sector 9, Ambala.

2. On 14.12.2022 the following order was passed:-

“ Prayer in this petition is for grant of regular bail to the petitioner in FIR No.259 dated 18.10.2022 registered under Sections 384, 506, 511, 120-B IPC (Sections 195, 195-A, 201 IPC added later) at Police Station Sector 9, Ambala, District Ambala.

Counsel for the petitioner has placed on record a photocopy of the treatment chart of Civil Hospital, Ambala City (which is taken on record as Mark X) which suggest that the petitioner is suffering from Hemiparesis, for the last 15 days.

As per the affidavit of the Superintendent, Central Jail, Ambala, which is supported by a report submitted by Medical Officer, Central Jail, Ambala, in which it is stated as under:-

“4. That as per the Medical Treatment Record of the patient, it was learned that the patient was admitted at Civil Hospital Ambala City

on dated 23/11/2022 diagnosed with SAIO (Sub Acute Intestinal Obstruction) with Ovarian Cyst and discharged on dated 25/11/2022. The patient also underwent CT scan abdomen during her stay at Civil Hospital Ambala City, which showed right ovarian large multispetated cyst, left bulky ovary, functional constipated and overloaded anorectal canal with faecal matter.

5. That the patient was referred to Civil Hospital Ambala City on dated 28/11/2022 for Gynaecologist Opinion as was mentioned on discharge slip on dated 25/11/2022.

6. That as per the patient's medical treatment record it was learned that the patient after examination by the gynaecologist Dr. Alpana Saxena on dated 28/11/2022 was admitted for laprotomy at 11:38 am. The patient was not satisfied by the treatment given to her at Civil Hospital, nor is she willing for any surgical treatment. However, the patient was advised for CA-125 tests during Discharge on dated 29/11/2022."

Counsel for the petitioner has further argued that even as per this report, it is suggested by the Gynecologist that the petitioner requires urgent surgery though she has not taken the same from the Civil Hospital, Ambala.

Counsel for the petitioner has relied upon the order dated 21.11.2022 passed in CRM-M No.53787 of 2022, vide which one of the co-accused of the petitioner namely Subhash Singh, who was the SHO of the Police Station Mahesh Nagar, has been granted the concession of interim anticipatory bail. The operative part of the said order, reads as under:-

" Learned senior counsel for the petitioner submits that the present FIR has been registered at the instance of complainant Manoj Kumar, who is estranged husband of one Preeti, who is also an accused in the FIR. It is further stated in the FIR that the complainant is working in FCI and in December, 2021, he was transferred to Ambala City, where he took a house on rent. On 12.09.2022, he along with his friend Ravish was present in the rented accommodation and suddenly, a girl came there and stated that she has come to take the said house on rent and, thereafter, she left the premises. It is further stated that due to bad health, the complainant had gone to his village on 20.09.2022. Again, his friends Ravish and Animesh called him and informed that the same girl, who had come earlier also on 12.09.2022, has come to take the house on rent and has stated that Manoj Kumar (complainant) has done wrong things with her and since she belongs to a lower caste, he has refused to marry her. Thereafter, on 15.10.2022, the complainant returned to Ambala and when he was going towards market, an unknown young boy came and informed that a girl named "R" (name withheld) has filed a case of rape in Police Station Sector 9 and he should meet her. Thereafter, a demand was made to pay the money in lieu of some settlement in the said case. Learned senior counsel further submits that in fact the aforesaid girl "R" has got registered FIR No. 240 dated 30.09.2022, under Sections 376, 506 of the IPC and Section 3 of the SC/ST Act at Police Station Sector 9, Ambala City against Manoj Kumar, who is complainant in the present FIR and after investigation, the allegations in FIR No. 240 were found to be false and the police registered the present FIR No. 259 against Ravneet Kaur, Sukhpreet Kaur and Preeti (estranged wife of complainant Manoj Kumar) and arrested all of them. Thereafter, another accused Gaurav and the present petitioner were nominated in FIR No. 259 on the disclosure of Preeti.

Learned senior counsel further submits that in fact the petitioner is presently posted as SHO in Police Station Mahesh Nagar, Ambala, whereas the previous FIR No. 240 was registered at Police Station Sector 9, Ambala City and the petitioner was neither the

*Investigating Officer nor remained posted at Police Station Sector 9, Ambala City and in fact, prior to his posting at Police Station Mahesh Nagar, Ambala, he was posted at Police Station Mullana, Ambala.*

*Learned senior counsel further submits that during investigation of the present case, no call details or mobile phone location of the accused/co-accused has been collected by the police and the petitioner is ready to join the investigation. It is also submitted that the prosecution is also relying upon FIR No. 77 dated 26.03.2022, registered under Sections 323, 376(2)(n), 379-B and 506 of the IPC at Women Police Station, Yamuna Nagar, however, the petitioner was not the Investigating Officer even in that case and only on the directions of the Superintendent of Police, Ambala, dated 14.07.2022, an SIT was constituted under the supervision of DSP, Barara and SHO, Mullana and ASI Omi Devi were directed to assist DSP, Barara in the investigation. The said order reads as under:*

*“In continuation to the order No. 2570-74/speaker dated 22.04.2022. The further investigation of the case FIR No. 77 dated 26.03.2022 U/s 376(2)N, 323, 379B, 506 IPC, PS Women, District Yamunanagar has been handed over to Deputy Superintendent of Police Barara and SHO Mullana and ASI Omi Devi has been appointed to assist DSP Brara in the investigation. Inspector Subhash who was posted as SHO Mullana has been transferred as SHO, PS Maheshnagar. Inspector Subhash is well conversant with the facts of the case. Hence, Inspector Subhash, SHO, PS Maheshnagar will be the assistant of DSP, Brara in the above mentioned case. The Deputy Superintendent of Police, Barara, on the basis of facts come to light in this case, will conduct thorough, unbiased and earnest investigation and while competing the case at the earliest, provide the progress report to this office.”*

*Learned senior counsel for the petitioner further submits that the petitioner was initially not the Investigating Officer and only on the basis of the aforesaid order the Superintendent of Police, Ambala, he was directed to assist the DSP, Barara and there is a clear reference in the aforesaid order that the petitioner already stands transferred from Mullan to Mahesh Nagar.*

*It is further submitted that aforesaid FIR No. 77 was registered at the instance of complainant “S” (name withheld) against Sanjay Bansal, Yash Bansal, Vinay Bansal, Kamini Bansal, Manisha Bansal, Kritika Bansal and her husband Anshul Jain on the similar allegations that the complainant had gone to Mullana University on 12.01.2015 regarding admission of her sister, where she met Yash Bansal, who repeatedly committed the offence of rape on her.*

*Learned senior counsel further submits that the petitioner again was not the Investigating Officer of the said case, which belongs to Women Police Station, Yamuna Nagar. It is further submitted that later on, FIR No. 77 was cancelled and the present FIR was registered with the aforesaid allegations of extortion of money.”*

*Counsel for the petitioner has further argued that subsequently, vide order dated 06.12.2022 passed in CRM-M No.56088 of 2022, this Court has directed to constitute an SIT to be supervised by I.G., Karnal Range, for investigation in FIR No.259, FIR No.240 as well as FIR No.77. It is further submitted that the petitioner is a victim in FIR No.240, which was registered at her instance whereas she is not a victim in FIR No.77 though it is wrongly noticed by the Additional Sessions Judge, while declining the bail.*

*Counsel for the petitioner has also placed on record a photocopy of FIR No.77 dated 26.03.2022, which is taken on record as ‘Mark A’, to submit*

*that a different girl named 'S' is, in fact, the victim in that case and all the 03 FIRs are already referred to an SIT, to be investigated by a team of senior police officers. It is further submitted that the petitioner is in custody for the last 01 month and 23 days and as per the Custody Certificate, she is not an accused in any other case as even in the affidavit of the Superintendent Central Jail, Ambala, it is not mentioned that the petitioner is involved as an accused in any other case.*

*Counsel for the State, on the basis of the affidavit of the Superintendent Central Jail, Ambala, filed in the Court today along with the report of the Medical Officer, Central Jail, Ambala, has not disputed that the petitioner requires urgent medical attention, which is also reflected from the latest record (Mark X) of the Civil Hospital, Ambala City.*

*As per the Custody Certificate and the affidavit of the Superintendent Central Jail, Ambala, the petitioner is not involved in any other case.*

*Counsel for the State has further submitted that the complainant in FIR No.77 namely 'S' is a friend of the petitioner and that is why the said FIR was also registered in order to blackmail the victims.*

*Be whatsoever, considering the medical condition of the petitioner, which is reflected in the Medical Certificate, submitted by the Superintendent Central Jail, Ambala, as well as bed head ticket of Civil Hospital, Ambala, where the petitioner is presently admitted and the fact that the petitioner requires surgery for her treatment, the petitioner is directed to be released on interim bail subject to her furnishing bail/surety bonds to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate.*

*List again on 10.04.2023.*

*The petitioner is directed to place on record her complete medical record, on the next date of hearing.*

3. The Counsel for the petitioner contends the current health condition of the petitioner is precarious as she has undergone surgery on 09.03.2022. He contends that the co-accused Preeti and Sukhpreet have been granted the concession of bail by this Court.

4. The Counsel for the State does not dispute the factual position.

5. In view of the fact that the petitioner has already been granted the concession of interim bail, has not misused the same, has cooperated with the investigating agency and report under Section 173(2) Cr.PC stands filed, the aforementioned bail is hereby made absolute subject to the

petitioner furnishing bail bonds and surety bonds to the satisfaction of learned CJM/Duty Magistrate, concerned.

6. In addition, the petitioner (or anyone on his behalf) shall prepare an FDR in the sum of Rs.1,00,000/- and deposit the same with the Trial Court. The same would be liable to be forfeited as per law in case of the absence of the petitioner from trial without sufficient cause.

7. The petition stands disposed of. .

( JASJIT SINGH BEDI )  
JUDGE

April 13, 2023  
Vinay

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|---------------------------|--------|
| Whether speaking/reasoned | Yes/No |
| Whether reportable        | Yes/No |