



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

206

CRM-M No.10821 of 2023
Date of decision: 21.05.2024

SHEELA RANI

.... Petitioner

Versus

STATE OF HARYANA

.... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present : Mr. Bakul Garg, Advocate for
Mr. Namit Khurana, Advocate for the petitioner.

Mr. Arjun Lakhanpal, Addl. A.G., Haryana.

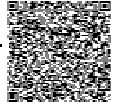
MANISHA BATRA, J. (oral)

1. Through the instant petition, filed under Section 438 of Code of Criminal Procedure, 1973, the petitioner seeks anticipatory bail in case FIR No. 217, dated 19.09.2022, under Sections 148, 149, 323, 379, 427, 452 and 354 of IPC at Police Station Farakpur, District Yamuna Nagar.

2. Vide order dated 02.03.2023, passed by this Court, the petitioner was released on interim bail and was directed to join investigation. Order dated 02.03.2024, passed by this Court, reads as under:

“Prayer in this petition is for grant of anticipatory bail to the petitioner in case bearing FIR No.217 dated 19.09.2022, under Sections 148, 149, 323, 379, 427, 452 and 354 of IPC, registered at Police Station Farakpur, District Yamuna Nagar.

Learned counsel for the petitioner has submitted that the entire story in the FIR is false and concocted and the said incident never occurred. In fact on a prior occasion, a



complaint was filed by the father of the petitioner and there is an inordinate delay of 20 days in lodging the FIR.

Notice of motion.

Mr. Brijesh Sharma, AAG, Haryana, accepts notice on behalf of the respondent-State.

Learned State counsel is directed to file a short reply and also to place on record the MLR of the victim.

Adjourned to 04.07.2023.

However, without commenting upon the factual matrix of the matter or expressing any opinion on the merits of the case, the petitioner shall join investigation on 09.03.2023 at 10:00 A.M. before the Investigating Officer and cooperate with the Investigating Agency, even thereafter.

In the event of arrest, the petitioner be released on interim bail subject to furnishing personal/surety bonds to the satisfaction of the Arresting/Investigating Officer and the petitioner shall abide by the conditions as envisaged under Section 438 (2) Cr.P.C.

It is made clear that this interim protection granted to the petitioner shall not be considered as parity at any stage qua other accused and the concession has been granted only on account of the fact that the petitioner is the married daughter of the main accused and is residing at Ambala and a copy of this order be sent to the trial Court, so that the same is not used or referred to for any other accused..”

3. Learned State counsel, on instructions from the Investigating Officer, has submitted that that the petitioner has re-joined investigation on 09.04.2024 and he is not required for custodial interrogation.



4. Keeping in view the above mentioned facts and circumstances, without commenting on the merits of the case, the present petition is allowed and the order dated 02.03.2024, granting interim bail to the petitioner, is made absolute, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure.

21.05.2024
Jyoti-IV

(MANISHA BATRA)
JUDGE

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