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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M- 21694-2024
Date of decision: 29.08.2024

Bindu BalaPetitioner.

Versus

State of HaryanaRespondent.

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present:- Mr. Parveen Kumar, Advocate,
for the petitioner.

Ms. Gaganpreet Kaur, DAG, Haryana.

Mr. Ashish Khatkar, Advocate,
for Mr. Dinesh Arora, Advocate,
for the complainant.

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SANJIV BERRY, J. (ORAL)

By way of present petition filed under Section 438 Cr.P.C,
the petitioner seek anticipatory bail in case FIR (Annexure P-1) as
under: -

FIR No.	Dated	Sections	Police Station
281	27.08.2023	323, 148, 149, 341, 506 IPC	Chhapar, District Hisar

2. Learned counsel for the petitioner submits that in
compliance to the order dated 06.08.2024, the petitioner has joined the
investigation.



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3. During the course of hearing on 06.08.2024, following order has been passed: -

‘4. *It is inter alia contended by learned Counsel for the petitioner that the petitioner is innocent lady aged about 50 years, having no criminal antecedents and has no role in the alleged incident. He submits that even from the perusal of the FIR, it is evident that no female aggressor is alleged to have caused any injury nor is there any female accomplice of the aggressor party but she has been falsely implicated in this case. He further contends that no specific overt act is attributed to the petitioner and she is ready to join the investigation, as such he prays for grant of anticipatory bail to the petitioner.*

5. *Per contra, learned State counsel assisted by Sh. Rajesh Kumar, Deputy Superintendent of Police-II, Yamuna Nagar referring to the reply have submitted that the petitioner was not named in the FIR but had been nominated on the basis of supplementary statement given by Vasu s/o Yash Pal (Annexure R-1) and Paras s/o Sanjiv Kumar (Annexure R-2) to the effect that petitioner had caused brick blow on the person of the injured.*

6. *Considering all these aspects and also the fact that no lady was shown to be part of the aggressor party in the occurrence, therefore, without commenting on the merits of case, it is deemed appropriate that the petitioner should join the investigation first before deciding the petition on merit.*

7. *Resultantly, the petitioner is hereby directed to join investigation within seven days from today and in*



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the event of her arrest, she is ordered to be released on interim bail on her furnishing personal/surety bonds to the satisfaction of the Arresting/Investigating Officer. She shall also abide by conditions as envisaged under Section 438(2) Cr.P.C.

8. *Adjourned to 29.08.2024'.*

4. Learned State counsel on instructions received from SI Karanpal, informs the Court that the petitioner has joined the investigation and is neither required for further investigation nor for any custodial interrogation.

5. Keeping in view the above submissions made by learned State counsel and the fact that the petitioner had joined the investigation consequent to the order dated 06.08.2024 passed by this Court, interim bail granted vide order dated 06.08.2024 is hereby confirmed, subject to conditions as envisaged under Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita 2023 (BNSS). Further the petitioner is directed to join investigation as and when required in future by way of written notice for such purpose to be served by Investigating Officer of this case upon the petitioner; she will not tamper with the evidence nor will influence the witnesses and will not leave the country without prior permission of the Court.

6. The petition stands allowed.



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7. It is made clear that anything contained hereinabove shall not be construed to be an expression of opinion on the merits of the case.

29.08.2024
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(SANJIV BERRY)
JUDGE

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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |