

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

215-1

CRM-M-23310-2024
Date of decision: 11.07.2024

FARJANAPetitioner

Versus

STATE OF HARYANA ...Respondent

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

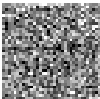
Present : Mr. Sanyam Khetarpal, Advocate
for the petitioner.

Mr. Rajesh Gaur, Additional A.G., Haryana.

KULDEEP TIWARI. J.(Oral)

1. On 09.05.2024, a Co-ordinate Bench of this Court had passed the hereinafter extracted order, upon the instant petition:-

“The prayer in the petition under Section 438 Cr.PC is for grant of anticipatory bail to the petitioners in case FIR No.87 dated 13.03.2024 under Sections 148, 149, 323, 324, 506 IPC (Section 326 IPC added later on) registered at Police Station Sadar Nuh, District Nuh (Mewat), Haryana. The Counsel for the petitioners contends that taking the allegations to be correct only simple injuries have been attributed to the petitioner who herself has received injuries attracting Section 323 IPC for which a cross case by way of DDR stands registered. Notice of motion 11.07.2024. On the asking of the Bench, Mr. R.S. Jhand, Addl. Advocate General, Haryana accepts notice on behalf of the State whereas Ms. Shweta Bawa, Advocate accepts notice on behalf of the complainant and has filed her memo of appearance. In the meantime, the petitioner is directed to appear before the SHO/Investigating Officer to join investigation and in the event of his arrest, they shall be released on bail on his furnishing bail bonds to the satisfaction



of SHO/Investigating Agency subject to the following conditions as envisaged under Section 438(2) Cr.P.C:-

i) that the petitioner shall make themselves available for interrogation before the Investigating Officer as and when required;

ii) that the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade them from disclosing such facts to the Court or to any police officer;

iii) that the petitioner shall not leave the country, without prior permission of the Court and shall surrender his passport, if any.

Meanwhile, the State is directed to file to the petition on or before the next date of hearing. ”

2. Status report by way of affidavit dated 08.07.2024, of Sh. Surender Kumar, HPS, Deputy Superintendent of Police, Nuh has been filed on behalf of respondent-State. The same is taken on record. Copy of the same has been supplied to the opposite counsel.
3. Today, the learned State counsel on instructions imparted to him by the official respondent, submits that the petitioner has already joined the investigation and she is fully co-operating with the investigation process and she is not required for any further custodial interrogation.
3. In view of the specific stand taken by the learned State counsel, the present petition is **allowed** and order dated 09.05.2024 is, hereby, made absolute subject to the condition that the petitioner shall abide by the conditions as envisaged under Section 438(2) Cr.P.C.

11.07.2024
amandeep

(KULDEEP TIWARI)
JUDGE

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