

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

215-2

CRM-M-23689-2024
Date of decision: 11.07.2024

MEMUNAPetitioner

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 13.05.2024, a Co-ordinate Bench of this Court had passed the hereinafter extracted order, upon the instant petition:-

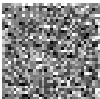
“The present petition has been filed under Section 438 Cr.P.C. for the grant of anticipatory bail to the petitioner in case registered against her vide FIR No.87 dated 13.03.2024 under Sections 148, 149, 323, 324 and 506 IPC (Section 326 IPC added later on) at Police Station City Sadar Nuh, District Nuh (Mewat), Haryana.

The learned counsel for the petitioner inter alia contends that only simple injuries have been attributed to the petitioner.

Notice of motion for 11.07.2024.

Mr. Rupinder Singh Jhand, Addl.A.G., Haryana, present in the Court, accepts notice on behalf of the State. Ms. Shweta Bawa, Advocate, has put in appearance 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 her arrest, she shall be released on bail on her 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 herself 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 as to dissuade him/her 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 her passport, if any.

Meanwhile, the State is directed to file an affidavit/reply as to the exact role of the petitioner and her co-accused alongwith the details of pending FIRs, if any, on or before the next date of hearing.

To be heard with CRM-M-23310-2024 ”

- 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.
- 4. In view of the specific stand taken by the learned State counsel, the present petition is **allowed** and order dated 13.05.2024 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