



**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

219

CRM-M-35084 of 2024

DATE OF DECISION :- 22.08.2024

Diksha @ Gannu

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL**Present:-** Mr. Jagtar Kureel, Advocate for the petitioner.

Ms. Priyanka Sadar, AAG, Haryana.

SUMEET GOEL, J. (Oral)

1. This petition has been filed under Section 482 of BNSS for grant of anticipatory bail to the petitioner in FIR No. 323 dated 06.07.2024, registered for offences under Sections 115, 117(2), 190, 191(3), 333, 351(2), 74 and 76 of BNS, at Police Station City, Jind, Haryana.

2. On 24.07.2024, the following order was passed:-

“Apprehending her arrest in FIR No.323 dated 06.07.2024 registered for offences punishable under Sections 115, 117(2), 190, 191(3), 333, 351(2), 74 and 76 of BNS at Police Station City, Jind, Haryana; the petitioner has preferred this petition under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking pre-arrest bail.

Inter alia contends that the genesis of the FIR in question is a civil/property dispute; the petitioner is a young unmarried girl aged about 21 years & the petitioner is willing to join investigation and cooperate therein.

Notice of motion.

On asking of the Court, Ms. Mahima Yashpal, DAG, Haryana, appears and accepts notice on behalf of the respondent-State.

Adjourned to 22.08.2024.

The petitioner is directed to appear before the Investigating Officer on 30.07.2024 at 11:00 A.M. in concerned Police Station and join investigation.

In the event of arrest, the petitioner shall be released on interim bail subject to her furnishing personal/surety bond(s) to the satisfaction



of the Arresting Officer/Investigating Officer. As and when further called by Investigating Officer, the petitioner shall join the investigation. She shall abide by the condition(s) enumerated under Section 482(2) of Bharatiya Nagarik Suraksha Sanhita, 2023.”

3. Learned State counsel, on instructions from ASI Samarjeet Singh, has stated that pursuant to the order dated 24.07.2024, the petitioner has joined investigation but is not cooperating therein for recovery of the house hold articles allegedly taken away by the petitioner and the petitioner is also not disclosing, with clarity, the details/whereabouts of the alleged co-accused.

Once the petitioner has joined the investigation and is cooperating therein on all aspects except for the above said two issues pointed out by the learned State counsel (on instructions from ASI Samarjeet Singh), this Court deems it appropriate to confirm the interim order already extended to the petitioner.

4. In view of above, the present petition stands allowed and the interim order dated 24.07.2024 passed by this Court is made absolute, subject to the conditions as enumerated under Section 482(2) of BNSS, 2023.

5. This order should not be treated as “blanket” order. It will not be read granting petitioner indefinite protection from arrest. It shall be confined to the FIR mentioned *ibid* and will not operate in respect of any other incident that involves commission of an offence.

6. Liberty is reserved in favour of State/complainant to move for cancellation/recall of this order in case the petitioner violates any condition stipulated under Section 482(2) of BNSS, 2023 or upon showing any other sufficient cause.



7. Needless to say that anything observed herein above shall not be construed to be an opinion on the merits of the case.

(SUMEET GOEL)
JUDGE

22.08.2024
P.Singh

Whether speaking/reasoned Yes/No

Whether Reportable Yes/No