

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-39941-2024
Date of decision: 26.09.2024

HARPREET KAURPetitioner

Versus

STATE OF PUNJABRespondent

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present:- Mr. Anureet Singh Sidhu, Advocate
for the petitioner.

Mr. Ankit Grewal, DAG Punjab.
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SANJIV BERRY, J. (ORAL)

Status report dated 25.09.2024 in the form of an affidavit of Deputy Superintendent of Police, City-II, District Patiala, has been filed. The same is taken on record. Copy thereof has been supplied to learned counsel for the petitioner.

2. By way of present petition filed under Section 482 BNSS, 2023, the petitioner seeks anticipatory bail in case FIR (Annexure P-1) as under: -

FIR No.	Dated	Sections	Police Station
0060	12.05.2024	458, 325, 323, 506, 148 and 149 IPC	Urban Estate, District Patiala.

3. Learned counsel for the petitioner submits that in compliance to the order dated 05.09.2024, the petitioner has joined the investigation.



4. During the course of hearing on 05.09.2024, following order had been passed: -

“2. It is, inter alia, contended by learned counsel for the petitioner that the petitioner happens to be the daughter of the complainant, having strained relations, however, a false case has been planted on the petitioner. He contends that in fact it was the complainant who had assaulted the petitioner and qua the same, MLR dated 11.05.2024 was also issued by the Rajindra Hospital, Patiala, after the examination of the petitioner and the same was sent to the police along with the complaint but the police has not taken any action thereon. He contends that the alleged injuries sustained by the complainant in this case happened to be blunt injuries with no specific attribution to the petitioner. He further contends that the petitioner is not having any criminal antecedents, hence, prays for grant of anticipatory bail to the petitioner.

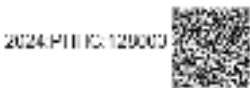
3. Notice of motion.

4. On the asking of the Court, Mr. Ankit Grewal, DAG, Punjab, present in Court, accepts notice on behalf of the State-respondent and, on instructions received from ASI Baljinder Singh, has not disputed the factual matrix of the case and admitted the fact that the injuries sustained by the complainant in the case happened to be blunt in nature. ASI Baljinder Singh, present in Court, after perusing the record also admits that the MLR pertaining to the petitioner being received in the police station along with complaint and admits that no action thereon has been taken till date. ASI Baljinder Singh, submits that he is not the concerned Investigating Officer of the case and submits that SHO concerned has sent him along with the file. Learned State counsel prays for time to file the status report/reply in the matter.

5. Adjourned to 26.09.2024.

6. Needful be done well before the date fixed with an advance copy to the counsel opposite.

7. In the meanwhile, the petitioner is hereby directed to join investigation within seven days from today and in 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 Officer/Investigating Officer. She shall also abide by conditions as envisaged under Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita 2023 (BNSS).



8. *Considering the aforesaid submissions made by the ASI, Baljinder Singh, present in Court today, the concerned SHO along with the Investigating Officer (concerned) of the case shall remain present in Court, on the date fixed along with relevant records.”*

5. Learned State counsel on instructions received from ASI Darbara Singh informs the Court that the petitioner has joined the investigation and is neither required for further investigation nor for any custodial interrogation.

6. 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 05.09.2024 passed by this Court, interim bail granted vide order dated 05.09.2024 is hereby confirmed, subject to conditions as envisaged under Section 482(2) of 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.

7. The petition stands allowed.

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

26.09.2024
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(SANJIV BERRY)
JUDGE

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