



CRM-M-43965 of 2024 1

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

214 CRM-M-43965 of 2024
DATE OF DECISION :- 14.10.2024

Sukhpal Kaur ...Petitioner

Versus

State of Punjab ...Respondent

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present:- Mr. Gurpreet Singh Sandhu, Advocate for the petitioner.

Mr. Anup Singh, AAG, Punjab.

Mr. Ishan Thakur, Advocate for Mr. L.S. Sidhu, Advocate
for the complainant.

SUMEET GOEL, J. (Oral)

1. This petition has been filed under Section 482 of BNSS R/W
Section 528 of BNSS for grant of anticipatory bail to the petitioner in FIR No.
105 dated 16.07.2024 registered for offences punishable under Sections
376,506,120(B) IPC and Section 4 of POCSO Act at Police Station Talwandi
Sabo, District Bathinda.

2. On 05.09.2024, the following order was passed:-

*“Apprehending her arrest in FIR No. 105 dated 16.07.2024
registered for offences punishable under Sections
376,506,120(B) IPC and Section 4 of POCSO Act at Police
Station Talwandi Sabo, District Bathinda; the petitioner has
preferred this petition under Section 482 of BNSS seeking pre-
arrest bail.*

*Inter alia contends that the petitioner has been falsely
implicated into the FIR in question on account of a previous*



FIR No. 66 dated 11.05.2024 registered at Police Station Talwandi Sabo, District Bathinda for offences under Sections 458,427,323,506,148,149 IPC and the FIR in question is the counter blast to the said FIR; the petitioner is a lady aged about 42 years; no recovery is to be made from the petitioner; the main accused i.e. son of the petitioner already stands arrested & the petitioner is willing to join investigation and cooperate therein.

Notice of motion.

On asking of the Court, Mr. Adhiraj Singh, AAG, Punjab appears and accepts notice on behalf of the respondent-State.

Mr. Lakhwinder Singh Sidhu, Advocate has filed vakalatnama for complainant. The same be taken on record.

Adjourned to 14.10.2024.

The petitioner is directed to appear before the Investigating Officer on 10.09.2024 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 BNSS, 2023.”

3. Learned State counsel, on instructions from ASI Nirmaljeet Singh, has stated that pursuant to the order dated 05.09.2024, the petitioner has joined investigation and is no longer required for custodial interrogation.

4. Learned counsel for the complainant has vociferously opposed the grant of anticipatory bail to the petitioner by arguing that the allegations made against the petitioner are serious in nature and hence anticipatory bail ought not to be granted to the petitioner.



CRM-M-43965 of 2024 **3**

5. In view of above, the present petition stands allowed and the interim order dated 05.09.2024 passed by this Court is made absolute, subject to the conditions as enumerated under Section 482(2) of BNSS, 2023.
6. 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.
7. 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.
8. 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

14.10.2024
P.Singh

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No