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CRM-M-45245-2024 (O&M)

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-45245-2024 (O&M)

Date of Decision: 22.10.2024

MANISHA

.. Petitioner

Vs.

STATE OF PUNJAB

..Respondent

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present: Mr. Rahul Kumar Adia, Advocate for the petitioner.

Mr. Anup Singh, AAG, Punjab.

None for the complainant.

...

SUMEET GOEL, J. (Oral)

1. This petition has been filed under Section 482 BNSS, 2023 for grant of anticipatory bail to the petitioner in FIR No. 114 dated 10.07.2024 registered for offences punishable under Section 80 and 3(5) of BNS, at Police Station Cantt. Jalandhar, Jalandhar.

2. On 23.09.2024, the following order was passed:-

“Apprehending her arrest in FIR No. 114 dated 10.07.2024 registered for offences punishable under Section 80, 3(5) of BNSS, at Police Station Cantt. Jalandhar; the petitioner has preferred this petition under Section 482 of BNSS, 2023 seeking pre-arrest bail.

Inter alia contends that the petitioner is a lady aged about 34 years; petitioner is cousin of the husband of the deceased and no specific role has been attributed to her which may invoke the offence of Section 80 of BNS, 2023 & petitioner is willing to join investigation and cooperate therein.

Adjourned to 22.10.2024.

The petitioner is directed to appear before the Investigating Officer on 27.09.2024 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



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petitioner shall join the investigation. She shall abide by the condition(s) enumerated under Section 438(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.”

- 3. Learned State counsel has filed a status report and the same is taken on record. Learned State counsel, on instructions from ASI Rajinder Singh, has stated that pursuant to the order dated 23.09.2024, the petitioner has joined investigation and is no longer required for custodial interrogation.
- 4. In view of above, the petition is allowed and interim order dated 23.09.2024 passed by this Court is made absolute, subject to the conditions as enumerated under Section 482(2) BNSS, 2023.
- 5. This order should not be treated as “blanket” order. It will not be interpreted as 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) 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.

22.10.2024
Jasmine Kaur

(SUMEET GOEL)
JUDGE

Whether speaking/reasoned

Yes No

Whether reportable

Yes No