



CRM-M-49185-2024 (O&M)

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-49185-2024 (O&M)
Date of Decision: 24.10.2024

MANPREET KAUR AND ANR

.. Petitioners

Vs.

STATE OF HARYANA

..Respondent

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present: Mr. Kapil Rana, Advocate for the petitioners.

Ms. Priyanka Sadar, AAG, Haryana.

...

SUMEET GOEL, J. (Oral)

1. This petition has been filed under Section 482 BNSS, 2023 for grant of anticipatory bail to the petitioners in FIR No. 106 dated 01.03.2024 registered for offences punishable under Sections 365,363,366-A of IPC and Sections 6,17 of POCSO (Section 365 IPC deleted and Sections 363,366-A of IPC and Sections 6,17 of POCSO added later on) at Police Station Sadar Thanesar, District Kurukshetra.

2. On 01.10.2024, the following order was passed:-

“Apprehending their arrest in FIR No. 106 dated 01.03.2024 registered for offences punishable under Sections 365,363,366-A of IPC and Sections 6,17 of POCSO (Section 365 IPC deleted and Sections 363,366-A of IPC and Sections 6,17 of POCSO added later on) at Police Station Sadar Thanesar, District Kurukshetra; the petitioners have preferred this petition under Section 482 of BNSS seeking pre-arrest bail.

Inter alia contends that petitioners are the sister and Jija (brother-inlaw) of the main accused, the statement made by the victim under Section 164 of Cr.P.C does not reflect any inculpatory statement against the petitioners & the petitioners are willing to join investigation and cooperate therein.

Notice of motion.

On asking of the Court, Ms. Priyanka Sadar, AAG, Haryana appears and accepts notice on behalf of the respondent-State.

Adjourned to 24.10.2024.



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The petitioners are directed to appear before the Investigating Officer on 04.10.2024 at 11:00 A.M. in concerned Police Station and join investigation. In the event of arrest, the petitioners shall be released on interim bail subject to their furnishing personal/surety bond(s) to the satisfaction of the Arresting Officer/Investigating Officer. As and when further called by Investigating Officer, the petitioners shall join the investigation. They shall abide by the condition(s) enumerated under Section 482(2) of BNSS, 2023.”

3. Learned State counsel, on instructions from ASI Suman, has stated that pursuant to the order dated 01.10.2024, the petitioners have joined investigation and are no longer required for custodial interrogation.
4. In view of above, the petition is allowed and interim order dated 01.10.2024 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 petitioners 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 petitioners violate 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.
8. Pending applications, if any, shall also stand disposed off.

24.10.2024

Jasmine Kaur

(SUMEET GOEL)
JUDGE

Whether speaking/reasoned

Yes No

Whether reportable

Yes No