



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

CRM-M-50394-2024

Date of Decision : 02.12.2024

RAJNI

.....Petitioner(s)

VERSUS

STATE OF PUNJAB

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. Lakshay Bector, Advocate,
for the petitioner(s).

Ms. Majot Kaur, AAG, Punjab.

KULDEEP TIWARI, J.(Oral)

1. On 04.10.2024, this Court had passed the hereinafter
extracted order, upon the instant petition:-

- “1. Through this second petition instituted under Section 482 of the B.N.S.S., 2023, the petitioner seeks the concession of anticipatory bail, in FIR No.49 dated 17.07.2024, under Section 105 of the B.N.S. (Sections 20 and 29 of the N.D.P.S. Act added subsequently), registered at P.S. City Raikot, District Ludhiana.
2. It would be apt to record here that, owing to some clerical error, petitioner’s earlier anticipatory bail petition bearing No. CRM-M49376-2024 was dismissed as withdrawn, vide order dated 03.10.2024, however, liberty was granted to her to re-access this Court on the same cause of action, with better particulars.
3. The genesis of the present FIR is embodied in the statement made by one Manjit Kaur (hereinafter referred to as the ‘complainant’). Succinctly stated, the allegations levelled by the complainant are that, on 17.07.2024, Akashdeep Singh @ Tara took her son Tarlochan Singh on his motorcycle towards Raikot. They took some poisonous substance from Raikot and went on Talwandi Road, adjoining Tahliana Sahib Gurudwara towards Goindwal. After reaching Halwara, Akashdeep Singh tried to run away after putting her son Tarlochan Singh in the street, however, when the ladies present there raised objection, Akashdeep Singh came back and took her son and threw him in front of her house. On checking, the complainant found her son dead and she alleged that her son died because of him becoming injected some poisonous substance.

4. The learned counsel for the petitioner submits that, the only piece of evidence, which constitutes the bedrock for the investigating agency to arrest the petitioner, is the disclosure statement of co/main accused. Except the disclosure statement, there is no other cogent evidence on record to connect the petitioner with the alleged crime. Moreover, in case the prosecution version is taken to be a gospel truth that, during interrogation, petitioner's co/main accused Akashdeep Singh disclosed that he purchased the narcotics from Sunita, Asha Rani and Rajni (petitioner), yet it is highly improbable that three persons supplied narcotics to him on the fateful day.

5. Notice of motion for 02.12.2024.

6. Mr. Sahil R. Bakshi, A.A.G., Punjab, accepts notice on behalf of respondent-State of Punjab.

7. In the meantime, the petitioner is directed to join the investigation and to appear before the investigating agency, as and when called upon to do so. In the event of her arrest, she shall be admitted to interim bail on her furnishing bail bonds to the satisfaction of the Arresting/ Investigating Officer. The petitioner shall abide by the terms and conditions as envisaged under Section 482(2) of the B.N.S.S., 2023.”

2. Today, the learned State counsel has, on instructions imparted to him by the official concerned, stated that pursuant to the making of the hereinabove extracted order, the petitioner(s) had joined investigation and she is no longer required for custodial interrogation.

3. In view of the above, the hereinabove extracted interim order dated 04.10.2024, is hereby made **absolute**, subject to the hereinafter extracted conditions:-

- “(i) the petitioner(s) shall not commit an offence similar to the present offence;
- (ii) the petitioner(s) shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case;
- (iii) the petitioner(s) shall make himself/herself available for interrogation by a police officer as and when required.”

4. This order should not be treated as “blanket” order. It will not be read granting petitioner(s) 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.

5. Needless to say that anything observed hereinabove shall not be construed to be an opinion on the merits of the case.
6. All pending application(s), if any, also stand **disposed** of accordingly.

December 02, 2024
dharamvir

(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned. : Yes/No
Whether Reportable. : Yes/No