



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-52302-2024
Date of decision: 20.11.2024

NIRMALA DEVIPETITIONER

Versus

STATE OF HARYANA ...RESPONDENT

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present: - Mr. Nihul Pratap Singh, Advocate for the petitioner.
Mr. Surender Singh, AAG, Haryana.

SANJIV BERRY, J. (ORAL)

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

FIR No.	Dated	Sections	Police Station
296	16.08.2024	406, 420 of IPC	Sector-5, Gurgaon, District Gurugram (Haryana).

2. Learned counsel for the petitioner submits that in compliance to the order dated 21.10.2024 passed by this Court, the petitioner has already joined the investigation and as such prayed for confirming the interim bail granted vide order dated 21.10.2024.
3. Learned State counsel, on instructions from ASI Narender, intimates the Court that the petitioner has joined investigation and is neither required for further investigation nor for any custodial interrogation.
4. During the course of hearing on 21.10.2024, following order

was passed:



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“2. It is, *inter alia*, contended by learned counsel for the petitioner that the petitioner is innocent and has been falsely implicated in this case on the basis of a dispute arising out of an agreement to sell dated 19.03.2024. He contends that after receiving the amount of sale consideration the petitioner and her husband (accused No. 2), namely Ravinder Singh, had executed General Power of Attorney in favour of the complainant dated 27.06.2024 (Annexure P-1).

3. Learned counsel for the petitioner further contends that the petitioner aged about 45 years and having no criminal antecedents has been falsely nominated in the present case by the complainant in connivance with the local police without there being any criminal offence made out against her. He contends that the petitioner had always been requesting the complainant to take possession of the property but he has been avoiding the same. He further contends that the petitioner is ready to join investigation. Hence, the instant petition

4. Notice of motion.

5. On the asking of the Court, Ms. Gaganpreet Kaur, DAG, Haryana, present in Court, accepts notice on behalf of the State-respondent and prays for time to file the status report/reply in the matter.

6. Adjourned to 18.11.2024.

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

8. 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

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482(2) of the Bharatiya Nagarik Suraksha Sanhita 2023 (BNSS). ”

5. 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 21.10.2024 passed by this Court, interim bail granted vide order dated 21.10.2024 is hereby confirmed, subject to conditions as envisaged under Section 482 (2) of BNSS, 2023. 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.
6. The petition stands allowed.
7. It is made clear that anything contained hereinabove shall not be construed to be an expression of opinion on the merits of the case.

(SANJIV BERRY)
JUDGE

20.11.2024
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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |