

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-65154-2023 (O&M)
Date of decision: 20.03.2024

ANJU RANI
....PETITIONER

VERSUS

STATE OF HARYANA
....RESPONDENT

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present:- Ms. Pooja Jaglan, Advocate for the petitioner.

Mr. Surender Singh, AAG, Haryana.

Mr. Jagjit Singh Dahiya, Advocate
for the complainant.

SANJIV BERRY, J.(ORAL)

1. By way of present petition filed under Section 438 of Code of Criminal Procedure, 1973, petitioner seeks anticipatory bail in case FIR (Annexure P-1) as under:

FIR No.	Dated	Sections	Police Station
279	27.10.2023	148, 149, 323, 325, 506 of IPC and 395, 397, 452, 212, 120-B of IPC added later on	Sanoli, District Panipat

2. Learned counsel for the petitioner submits that in compliance to the order dated 26.12.2023 passed by this Court, the petitioner has already joined the investigation and as such prayed for confirming the interim bail granted vide order dated 26.12.2023.

3. Learned State counsel, on instructions from ASI Surjit Singh intimates that the petitioner had joined the investigation in the case and is

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no more required for any custodial investigation in this case nor she is required for further investigation.

4. During the course of hearing on 26.12.2023, following order was passed:

“The petitioner prays for the grant of pre-arrest bail in FIR No.279, dated 27.10.2023, registered under Section 148, 149, 323, 325,506 IPC and Section 395, 397, 452, 212, 120-B IPC added later on, at Police Station Sanoli, District Panipat.

It is the case of the first informant that he alongwith his brother visited Sh.Surinder Shashtri for the preparation of horoscope and at the request of Sh.Surinder Shashtri, they stayed for another day at his hermitage. However, later in the evening, the petitioner, along with certain other accused armed with lathis, dandas and iron rods arrived and attacked all of them, resulting in grievous injuries.

Learned counsel representing the petitioner contends that she has been falsely implicated at the behest of her husband with whom she has strained relationship and litigation between the husband and wife is pending before the court.

Notice of motion.

On asking of the Court, Mr. Gurmeet Singh, AAG, Haryana, accepts notice on behalf of the State.

Sh. Jangjit Singh Dahiya, Advocate, enters appearance on behalf of the first informant.

List on 05.02.2024.

In the meantime, in the event of arrest, the petitioner shall be released on interim bail subject to furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438(2) Cr.P.C.”

5. Keeping in view the respective submissions made by learned State counsel and considering the fact that the petitioner had already joined the investigation and is no more required for further investigation nor she is required for any custodial interrogation, interim bail granted vide order dated 26.12.2023 is hereby confirmed, subject to conditions as envisaged under Section 438(2) Cr.P.C. 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. Pending application(s), if any, also stand disposed of.

8. 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

20.03.2024

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