



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M No.1558 of 2025

Date of decision: 20.02.2025

KAVITA ARORA

.... Petitioner

Versus

STATE OF PUNJAB

.... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present : Mr. V. K. Kaushal, Advocate for the petitioner.

Ms. Sakshi Bakshi, AAG, Punjab.

MANISHA BATRA, J. (oral)

1. Prayer in this petition, filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS'), is for grant of anticipatory bail to the petitioner in case FIR No.215 dated 08.11.2024, under Sections 262, 263, 221, 132, 61(2) of Bharatiya Nyaya Sanhita, 2023 (for short-'BNS') registered at Police Station Civil Lines, Amritsar Police Commissionerate, Amritsar.

2. Vide order dated 15.01.2025, passed by this Court, the petitioner was granted interim bail and was directed to join investigation. Order dated 15.01.2025, passed by this Court, reads as under:

"Through the instant petition, prayer is made for grant of anticipatory bail to the petitioner in case arising out of FIR No.215 dated 08.11.2024, under Sections 262, 263, 221, 132, 61(2) of Bharatiya Nyaya Sanhita, 2023 registered at Police Station Civil Lines, Amritsar, Police Commissionerate, Amritsar.

The aforementioned FIR has been registered on the basis of complaint lodged by complainant ASI Baldev Singh posted at Police

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Station Sujanpur, Pathankot on the allegations that Neetu Bala was nominated as an accused in case arising out of FIR No.206 dated 05.10.2021 registered under Sections 417, 419, 420, 465, 466, 467, 468, 471, 120-B of IPC at Police Station Sujanpur. On 07.11.2024, the complainant along with other police officials had gone to the house of the accused Neetu Bala for the purpose of apprehending/arresting her. At that time, while showing that she had been feeling unwell, the accused Neetu Bala had got herself admitted in Civil Hospital in Amritsar. The official respondents had also reached there. Thereafter, she was referred to other hospital and from there, she managed to escape in connivance with the present petitioner who is sister of the accused Neetu Bala. After registration of FIR, investigation proceedings have been initiated and are underway. Apprehending her arrest, the petitioner had moved an application for grant of anticipatory bail which was dismissed by learned Additional Sessions Judge, Amritsar vide order dated 09.01.2025.

It is argued by learned counsel for the petitioner that she has been falsely implicated in this case. She was present in the hospital only keeping in view the health condition of her sister and has not played any part in the alleged occurrence. She is ready to join the investigation. Her custodial interrogation is not required. No recovery is to be effected from her. The accused Neetu Bala has been extended benefit of interim bail vide order dated 18.12.2024. Therefore, on parity, she too deserves to be extended benefit of pre-arrest bail.

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Notice of motion.

Learned State counsel who has advance notice of the petition seeks time to file status report.

Adjourned to 20.01.2025.

In the meantime, the petitioner is directed to appear before the Investigating/Arresting Officer to join investigation within one week or as and when subsequently required thereafter. In the event of her arrest, the Investigating/Arresting Officer shall release the petitioner on interim bail on furnishing personal/surety bonds to his/her satisfaction. The petitioner shall also abide by the conditions as envisaged under Section 482 (2) of Bharatiya Nagarik Suraksha Sanhita (for short BNSS), 2023.”

3. Status report dated 18.02.2025 filed on behalf of respondent-State is taken on record.

4. Learned State counsel, on instructions from the Investigating Officer, has submitted that the petitioner has joined investigation on 21.01.2025 but her custodial interrogation is required for the purpose of identification of unidentified co-accused who had not been named by her after joining of the investigation.

5. As per above discussed facts and circumstances, this Court is of the opinion that keeping in view the nature of the allegations as leveled against her in the FIR, her custodial interrogation is not required. Accordingly, the present petition is allowed and the order dated 15.01.2025, granting interim



bail to the petitioner, is made absolute, subject to compliance of usual terms and conditions requisite for grant of anticipatory bail.

20.02.2025
Jyoti-IV

(MANISHA BATRA)
JUDGE

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