



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

209

CRM-M-1587-2025 (O&M)
Date of decision: 14.02.2025

Rajni Bala @ Rajni @ Bhola
.....Petitioner
Versus
State of Punjab
.....Respondent

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Ms. Gaganpreet Kaur, Advocate and
Mr. Kuldip Singh, Advocate
for the petitioner.

Mr. Sandeep Kumar, DAG, Punjab.

Mr. Arshdeep, Advocate
for the complainant.

HARPREET SINGH BRAR J. (Oral)

1. This petition has been filed under Section 482 of BNSS, 2023, seeking anticipatory bail in case FIR No.150 dated 16.12.2024, registered under Sections 333, 118(1), 115(2), 190, 191(3) of BNS, 2023, at Police Station Vairo Ke, District Fazilka.
2. On 14.01.2025, the following order was passed:-

“XX XX XX XX
Learned counsel for the petitioner, inter alia, contends that the petitioner has been falsely implicated in the present case. The complainant is husband of the petitioner, with whom she is having estranged relationship. The petitioner has been living with her parents along with her minor son. Further, there is a delay of 02 days in registration of FIR (supra), which creates a serious doubt



on the case set up by the prosecution. Moreover, the allegation against the petitioner is only to the extent of raising a lalkara.

Notice of motion for 14.02.2025.

*Keeping in view the ratio of law enunciated by the Hon'ble Supreme Court in **Satender Kumar Antil Vs. CBI (2022) 10 SCC 51; Siddharam Satlingappa Mhetre Vs. State of Maharashtra and others 2010 SCC OnLine SC 137; Gurbaksh Singh Sibbia etc. Vs. State of Punjab (1980) 2 SCC 565, Arnesh Kumar Vs. State of Bihar (2014) 8 SCC 273 and Sushila Aggarwal Vs. State of NCT Delhi 2020 (1) RCR (Criminal) 833**, the petitioner is directed to appear before Investigating Officer within a period of two weeks from today and thereafter, as directed by the Investigating Officer. In the event of arrest, the petitioner will be admitted to interim anticipatory bail on furnishing bail/surety bonds to the satisfaction of Investigating/Arresting Officer. The petitioner shall cooperate with the investigation/Arresting Officer and abide by the conditions as provided under Section 482(2) of BNSS [erstwhile Section 438(2) of the Code of Criminal Procedure, 1973 (for short 'Cr.P.C.')]]*

If the Arresting Officer does not permit the petitioner to join the investigation, she would appear before learned Illaqa Magistrate, who would then summon the Arresting Officer and direct him to join the petitioner in the investigation, in terms of the order of this Court.

Nothing observed hereinabove shall be construed as an expression of opinion by this Court and learned trial Court shall decide the case on its own merits, strictly in accordance with law."



3. Learned State counsel, on instructions from ASI Lakhbir Singh, at the very outset, informs the Court that the petitioner has joined the investigation and her custodial interrogation is not required.
4. On the other hand, learned counsel for the complainant vehemently opposes the prayer of the petitioner on the ground that the complainant has lost his eye sight in the alleged assault made by the petitioner and as such, the petitioner is not entitled to concession of anticipatory bail.
5. In reply, learned counsel for the petitioner submits that on account of the injuries suffered by the complainant only the offence under Section 118(1) (erstwhile Section 324 IPC) has been added.
6. Learned State counsel affirms the fact that the complainant had only suffered simple injuries in the alleged assault.
7. In view of the statement of learned State counsel, order dated 14.01.2025 is hereby made absolute. The petitioner shall abide by the terms and conditions envisaged under Section 482(2) of BNSS (*erstwhile Section 438(2) of the Code of Criminal Procedure, 1973*).
8. The petition stands disposed of.

(HARPREET SINGH BRAR)
JUDGE

14.02.2025
yakub

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