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2025.PHHC.025577



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-10112-2025
DECIDED ON: 21.02.2025

RENU

.....PETITIONER

VERSUS

STATE OF HARYANA

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Yashveer Kharb, Advocate
for the petitioner.

SANDEEP MOUDGIL, J (ORAL)1. Relief sought

The jurisdiction of this Court has been invoked under Section 482 of B.N.S.S. for grant of concession of anticipatory bail to the petitioner in case FIR No. 433, Dated 06.08.2024, under Sections 420, 468, 471 and 120 of I.P.C. registered at Police Station Old Industrial Panipat, District Panipat.

2. Prosecution story setup in the present case as per the version in the FIR as under:-

“Sir, Mr. Deputy Commissioner, District Panipat, Subject-Application for taking legal action against Renu daughter of Satish and Satish resident of Gangaram Colony, Ward No. 25, Tehsil and District Panipat, Mobile No. - 96712 21813. It is requested that I am Santro Devi wife of Sh. Hari Singh is resident of Hari Nagar Ward No. 26, Tehsil and District Panipat. That some time ago my son Anil fell in love with Renu and with Renu's consent, he eloped with

her from home and Renu's father filed a case against Anil under POCSO Act in Old Industrial Panipat. After this, Renu's father told me that we will sit and settle the matter, in return for this, transfer your house in the name of my daughter Renu, we will not give any testimony against Anil in the court. So, under the influence of Satish, I got my house registered in Renu's name on a full payment agreement. On the day of hearing of the case, Renu's father Satish testified against my son Anil and my son Anil was sentenced to 20 years of imprisonment. He is undergoing his sentence in Karnal jail. After this, Renu and her father together threw me out of the house and took possession of my house. Now I am forced to wander from door to door without a roof. And when I go towards the house, they have beaten me several times and threaten to kill me. The registry and electricity meter of the said house are in my name. To get the meter transferred in her name, Renu got a false affidavit made from the court and by getting my false signatures on it had submitted to the electricity department, got the meter transferred in her name. Whereas I am an illiterate woman and I use my thumb impression. When I investigated this in the electricity department, I found false signatures of my name on the affidavit and she occupied my house. In this regard, I have complained against them several times in my nearest police station Old Industrial Panipat but no one is listening to me. So sir, keeping in mind the problem of me, a poor illiterate woman, please take strict legal action against the above culprits and get me justice.”

3. **Contention**

On behalf of the petitioner

Learned counsel for the petitioner contends that the dispute involved in the instant FIR is civil in nature but has given a criminal colour and the same is based on a contractual obligation. He further contends that

nothing is to be recovered from the present petitioner as the entire case is based on the documentary evidence. It has been contended on behalf of the petitioner that she is ready and willing to join the investigation and cooperate with the investigating officer concerned.

Notice of motion.

On behalf of the State

On the asking of the Court, Mr. B.S. Virk, Sr. DAG, Haryana accepts notice on behalf of the respondent-State and submits that the petitioner had applied for transfer of electricity meter of the house of complainant in her name on the basis of forged affidavit and, therefore, custodial interrogation of the petitioner is required for proper investigation of the case and to know how the alleged forgeries were committed by her to grab the property of complainant.

4. **Analysis**

Be that as it may, considering the fact the dispute in the instant FIR is civil in nature and has given a colour of criminal nature; nothing is to be recovered from the present petitioner as the entire case is based on the documentary evidence, for which custodial interrogation of the petitioner is not required at this stage added with the fact that she is ready and willing to join the investigation and cooperate with the investigating officer concerned.

5. **Decision**

In the light of above, the petitioner is directed to be released on anticipatory bail subject to her joining investigation with the Investigating Officer concerned within a period of one week from today, on furnishing of personal/surety bonds to his satisfaction. The petitioner shall also abide by

the terms and conditions as envisaged under Section 482(2) of BNSS, which are reproduced below:-

‘When the High Court or the Court of Session makes a direction under sub-section (1), it may include such conditions in such directions in the light of the facts of the particular case, as it may think fit, including-

(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;

(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

(iii) a condition that the person shall not leave India without the previous permission of the Court;

(iv) such other condition as may be imposed under sub-section (3) of section 480, as if the bail were granted under that section.’

However, it is made clear that in case the petitioner does not comply with the aforesaid direction of joining the investigation within a period of one week, the order passed by this Court today shall automatically stands cancelled.

In the aforesaid terms, the present petition stands allowed.

(SANDEEP MOUDGIL)
JUDGE

21.02.2025

Poonam Negi

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No