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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-13407-2025
Decided on: 14.05.2025

Nirmala @ Nirmala Devi

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Akashdeep Singh, Advocate for the petitioner.

Mr. Surender Singh Pannu, Addl. A.G., Haryana.

SANJAY VASHISTH, J.

1. Prayer in this petition, filed under Section 482 of the BNSS, 2023, is for grant of anticipatory bail to the petitioner, who has been booked in a criminal case arising out of First Information Report, as detailed hereunder:-

Name of Petitioner (s)	FIR No.	Date	Section(s)	Police Station	District
Nirmala @ Nirmala Devi	302	11.12.2024	420, 467, 468, 471 IPC	Arya Nagar Rohtak	Rohtak

2. On 11.03.2025, following order was passed:-

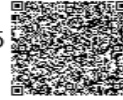
“1. Prayer in this petition, filed under Section 482 of the BNSS, 2023 (earlier Section 438 Cr.P.C.), is for grant of anticipatory bail to the petitioner, who has been booked in a criminal case arising out of First Information Report, as detailed hereunder:-

<i>Name & age of Petitioner (s)</i>	<i>FIR No.</i>	<i>Date</i>	<i>Section(s)</i>	<i>Police Station</i>	<i>District</i>

Nirmala @ Nrimala Devi, aged about 57 years	302	11.12.2024	420, 468, IPC	467, 471	Arya Nagar	Rohtak
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2. *Learned counsel for the petitioner; inter alia, contends that case of the prosecution is that husband of the petitioner namely Uday was released on interim bail by the Court of Sessions, multiple times, in an NDPS case, bearing FIR No.378 of 2022, at Police Station IMT, District Rohtak.*
While seeking interim bail number of times between 22.11.2023 and 18.12.2023, on account of illness of his wife (petitioner herein), he submitted the medical record, which was subsequently found to be partially forged. It is thereupon, i.e. FIR No.302 dated 11.12.2024 under Sections 420, 467, 468 and 471 of IPC was registered at Police Station Arya Nagar, Rohtak, against the petitioner as well as her husband Uday.
3. *Counsel for the petitioner further submits that there is no direct act attributed to the petitioner. The issue of whether the petitioner participated in the alleged incident, particularly with the intent of securing bail, remains to be ascertained by the prosecution. However, the ultimate beneficiary of the concession of bail was only her husband Uday.*
Thus, there being no direct involvement or playing any active role in the alleged offence, custodial interrogation of the petitioner would not be required. Moreover, case of the prosecution actually depends upon the documentary evidence.
Thus, prays for grant of concession of anticipatory bail to the petitioner in the present case.
4. *Notice of motion.*
5. *On advance notice, Mr. Kanwar Sanjiv Kumar, AAG, Haryana, puts in appearance on behalf of the respondent – State, and seeks some time to file status report in the matter.*
6. *Adjourned to 14.05.2025.*
7. *In the meanwhile, the petitioner is directed to join the investigation as and when required to do so by the Investigating Agency. In the event of his arrest, the petitioner shall be released on ad-interim bail, subject to his furnishing bail bonds to the satisfaction of the Arresting Officer. The petitioner shall also be abide by all the conditions laid down under Section 482(2) of BNSS, 2023 (earlier Section 438(2) Cr.P.C.).*
8. *Besides, it is directed that petitioner would hand over his passport to the Investigating Agency or to Court concerned, if he possesses. Otherwise, would submit an affidavit, disclosing the fact that he does not possess any passport.*
It is also directed that before leaving country any time during trial, petitioner would seek prior permission of the Court.”

3. Learned counsel for the petitioner submits that in compliance of order dated 11.03.2025 passed by this Court, the petitioner

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has joined the investigation, and has fully co-operated, thus, prays for confirmation of the interim bail order.

4. Learned State counsel on instructions, confirms the said averment and submits that the custodial interrogation of the petitioner would not be required now for the purpose of investigation. Accordingly, learned State counsel prays for disposal of the present petition.

5. Heard learned counsel for the parties.

6. Since, the petitioner has joined the investigation and custodial interrogation is no more required, interim order dated 11.03.2025 passed by this Court is hereby made absolute. Present petition is thus allowed.

However, petitioner shall continue to join the investigation as and when required to do so and abide by all the terms and conditions laid down under Section 482(2) of BNSS, 2023.

Besides, it is directed that petitioner would hand over her passport to the Investigating Agency or to Court concerned, if she possesses. Otherwise, would submit an affidavit, disclosing the fact that she does not possess any passport.

It is also directed that before leaving country any time during trial, petitioner would seek prior permission of the Court.

7. Accordingly, petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

May 14, 2025
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Whether Speaking/Reasoned: ~~YES/NO~~
Whether Reportable: ~~YES/NO~~