



**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

101

CRM-M-16087-2025

Date of decision: 25th March, 2025

Charanjeet Kaur

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Ms. Neha Shukla, Advocate for the petitioner.

Ms. Ruchika Sabherwal, Sr. DAG, Punjab.

MANISHA BATRA, J (ORAL):-

The present petition has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the petitioner seeking grant of anticipatory bail in case bearing FIR No. 277 dated 31.12.2024 registered under Section 308(2) read with Section 61(2) of Bharatiya Nyaya Sanhita, 2023 (for short 'BNS') at Police Station City Sangrur, District Sangrur.

2. Brief facts of the case relevant for the purpose of disposal of this petition are that the aforementioned FIR was registered on the basis of statement recorded by the complainant Manish Kumar alleging that on 23.12.2024, one female while introducing herself as Manpreet Kaur had come to his shop and asked about the whereabouts of his brother Shekhar Goyal. Thereafter, she had left. On 25.12.2024, he received an information from the police that the above said Manpreet Kaur was admitted in Civil



Hospital, Sangrur and she had levelled allegations regarding commission of act of rape upon her by the complainant. In the meanwhile, his brother received *WhatsApp* call on his cell phone and the caller while introducing herself as ParamjitKaur told his brother that she had got Manpreet Kaur admitted in hospital and FIR for committing gang rape would be registered against them, if negotiation were not conducted with her. The complainant along with some respectable persons went to the hospital, wherein, the present petitioner while representing herself to be the mother of Manpreet Kaur as well as Manpreet Kaur met them and demanded a sum of Rs. 7,00,000/- and otherwise threatened to foist a case of gang rape upon them. They also disclosed that the mode of payment would be discussed by their group members in the hospital on the following day and told them to come to the hospital after making arrangement for the money. The complainant alleged that on the next day also, he had gone to the hospital and to save his honor and reputation of the family, he agreed to pay a sum of Rs. 5,00,000/- and an amount of Rs. 2,00,000/- was paid in cash, whereas, Rs. 3,00,000/- were to be given in two installments. He alleged that the petitioner and the co-accused were extending continuously threats to him and prayed for taking action. The aforementioned FIR was accordingly registered. Investigation is underway.

3. It is argued by learned counsel for the petitioner that she is not mother of Manpreet Kaur and is simply acquainted with her. At the request of Manpreet Kaur to help her that she had accompanied her to hospital. A false story has been concocted. There is delay of five days in registration of the FIR. Her custodial interrogation is not required. No recovery is to be



effected from her. Accordingly, it is urged that the petition deserves to be allowed.

4. Notice of motion.

5. Learned Senior Deputy Advocate General, Punjab has advance notice of the petition and submits that she is ready to argue the matter. It is argued by her that there are serious and specific allegations against the petitioner, who has formed a gang along with the co-accused. The said gang is involved in extracting money from innocent persons by framing them in false cases of gang rape. The petitioner had actively participated in the incident by extending threats to involve the complainant in a false case and by raising demand of money. His custodial interrogation is required for conducting thorough and proper investigation of the matter and to elicit information about the manner, in which the crime was committed. No extraordinary or sparing circumstance has even otherwise been made out for the purpose of extending benefit of anticipatory bail to the petitioner. The case is at its nascent stage. Therefore, it is urged that the petition does not deserve to be allowed.

6. I have heard learned counsel for the parties at considerable length and have gone through the record carefully.

7. The petitioner along with the co-accused is alleged to have hatched a conspiracy to extort money from the complainant and his brother by extending threats to involve him in false case of rape and is further alleged to have extracted a sum of Rs. 2,00,000/- from the complainant. There are serious allegations against the petitioner. The allegations *prima facie* disclose her active participation in the commission of concerned



offences. In my opinion, for the purpose of conducting thorough investigation in the matter, custodial interrogation of the petitioner is must. It is well settled that custodial interrogation of a suspected person is qualitatively more elicitation oriented than questioning a suspect who is well ensconced with a favourable order of anticipatory bail. Many useful information can be disinterred during custodial interrogation. Moreso, no exceptional or extra ordinary circumstance warranting exercise of powers for grant of pre-arrest bail is made out in this case. Keeping in view the nature of the subject offences and the role attributed to the petitioner and for the purpose of eliciting the truth, I am of the considered opinion that she does not deserve to be extended benefit of pre-arrest bail. Accordingly, the petition stands dismissed.

8. It is, however, clarified that the observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

9. Since the main petition has been dismissed, pending application, if any, is rendered infructuous.

[MANISHA BATRA]
JUDGE

25th March, 2025

Parveen Sharma

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