

**CRM-M-20660-2025(O&M)****1**

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

207-A

CRM-M-20660-2025(O&M)**Date of Decision: 27.05.2025**

Sunita Rani @ Manay

...Petitioner(s)

Versus

State of Punjab

...Respondent(s)

CORAM: HON'BLE MS. JUSTICE KIRTI SINGH

Present:- Mr. Krishan Singh Dadwal, Advocate for the petitioner.

Ms. Aakanksha Gupta, AAG, Punjab.

KIRTI SINGH, J. (Oral)

1. Apprehending arrest, the petitioner has filed this petition under Section 482 of BNSS for grant of anticipatory bail in case bearing FIR No.113 dated 17.12.2024, under Sections 108 and 3(5) of BNS, registered at Police Station Chabbewal, District Hoshiarpur.
2. This Court on 06.05.2025 while issuing notice of motion, directed the petitioner to join investigation and passed the following order:-

“Apprehending arrest in FIR No.113 dated 17.12.2024, under Sections 108 & 3(5) of BNS, 2023, registered at Police Station, Chabbewal, District Hoshiarpur, the petitioner has preferred this petition under Section 482 of Bhartiya Nagarik Suraksha Sanhita, 2023 (BNSS, 2023) for grant of pre-arrest bail.

Learned counsel for the petitioner *inter alia* submits that the petitioner has been falsely implicated in this case being sister-in-law of the deceased. Marriage of the petitioner was solemnized in the year 2004, much prior to the marriage of the deceased, and she is since residing in her matrimonial home at Jalandhar. It is further stated that from the last 10



years, there was no complaint made by the deceased about any harassment or maltreatment for demand of dowry. Further, no ingredients under Section 306 IPC are made out qua the petitioner, in which regard reliance is also placed upon the judgment of the Hon'ble Supreme Court passed in **Patel Babubhai Manohardas & Ors. Versus State Of Gujarat, Criminal Appeal No. 1388 Of 2014 decided on 05.03.2025**, wherein it was held that suicide note alone is insufficient to establish guilt of any accused unless its proved there was incitement by accused proximate to death.

Adjourned to 27.05.2025.

Meanwhile, the arrest of the petitioner shall remain stayed. In the meantime, the petitioner shall join investigation before the Investigating Agency/Officer. She shall abide by the following conditions as envisaged under Section 482(2) BNSS, 2023;-

- 1) That the petitioner shall make himself available for interrogation by a police officer as and when required to do so.
- 2) That the petitioner 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) That the petitioner shall not leave India without prior permission of the Court."

Needless to mention that the investigating agency/officer shall continue with the investigation of the case in usual manner.

3. Learned State counsel on instructions from ASI Mohan Chand- Investigating Officer(s), submits that in compliance of the aforesaid order, the petitioner has joined the investigation and is not required for any further investigation.

4. Having considered the aforesaid facts and circumstances, the petition is allowed. Order dated 06.05.2025 passed by this Court, is hereby made absolute.

5. This order should not be treated as "blanket" order. It will not be read granting the petitioner indefinite protection from arrest. It shall be



confined to the FIR mentioned ibid and will not operate in respect of any other incident that involves commission of an offence.

6. This order does not in any manner limit or restrict the rights or duties of the police or investigating agency to investigate into the charges against the petitioner.

7. The accused/petitioner 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 or her from disclosing such facts to the Court or to any police officer.

8. The accused/petitioner shall not leave India without prior permission of the Court.

9. The accused/petitioner shall join the investigation as and when called by the police.

10. It will be open to the police or the investigating agency to move to this Court for a direction under Section 483(3) of BNSS (erstwhile Section 439(2) of the Code of Criminal Procedure, 1973) to arrest the accused, in the event of violation of any term, such as absconding, non-cooperating during investigation, evasion, intimidation or inducement to witnesses with a view to influence outcome of the investigation or trial.

27.05.2025
Kapil

(KIRTI SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No