



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

(212-1)

CRM-M-27150-2025

Date of Decision: 17.7.2025

Sushila Sharma @ Sushil Sharma

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MS. JUSTICE KIRTI SINGH

Present: Mr. Vishal Garg Narwana, Advocate with
Mr. Nitin Sachdeva, Advocate
for the petitioner.

Mr. Anmol Malik, DAG, Haryana.

KIRTI SINGH, J. (ORAL)

1. Prayer in the present petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023, is for grant of anticipatory bail to the petitioner, in case FIR No. 53 dated 16.4.2025, under Sections 498-A, 406, 506, 509, 323 and 34 IPC, registered at Police Station Women West Gurugram, District Gurugram.

2. Vide order dated 16.5.2025, the petitioner was directed to join investigation. The said order is reproduced hereinafter:-

“Apprehending arrest the petitioner has filed this petition under Section 482 of BNSS for grant of anticipatory bail in case bearing FIR No.53 dated 16.04.2025, under Sections 498-A, 406, 506, 509, 323 & 34 IPC, registered at Police Station Women West Gurugram, District Gurugram.

2. *Learned Senior counsel for the petitioner, inter alia, submits that petitioner has been falsely implicated in the present case, being the mother-in-law of the complainant, by leveling vague and generic allegations. The petitioner did not have any interference in the matrimonial life of the complainant, whose marriage with the son of the petitioner was solemnized in 2017 and in the 8 years of*



marriage, no such complaint was moved. Further the present FIR is the counter blast to the divorce petition filed by the husband of the complainant. It is also stated that the petitioner's younger son is suffering from 100% permanently disability in regard to which reference was made to the disability certificate annexed as Annexure P-2. Furthermore, the petitioner's husband, aged about 64 years, is suffering from a serious heart condition. He further submits that petitioner is ready and willing to join investigation and co-operate

3. *Reliance is placed upon the judgment passed in “**Daya Rani vs. State of Punjab**”, CRM-M-36744-2024, “**Barun Chandra Thakur vs. Central Bureau of Investigation and others**”, 2018(5) RCR (Criminal) 49, “**Balan vs. State of Kerala**”, 2003(4) RCR (Criminal) 733, “**Ranjit Singh Virk vs. State of Punjab**”, 1997(3) RCR (Criminal) 207, “**Mohan Lal and others etc. vs. Prem Chand and others etc.**”, 1980 AIR Himachal Pradesh 36 and “**Onkar Nath Agrawal and others vs. State**”, 1976 CriLj 1142, to submit that there is no legal impediment in directly approaching this Hon'ble Court for the grant of anticipatory bail.*

4. *Notice of motion.*

5. *Mr. Brijesh Sharma, AAG, Haryana, waives service of notice on behalf of the respondent-State and seeks time to file response. It is also pointed out by the learned State counsel that application for anticipatory bail was not moved before the learned trial Court in the instant case and that the petitioner has approached this Court directly to seek the relief.*

6. *List on 17.07.2025.*

7. *In the meantime, arrest of the petitioner shall remain stayed and she shall join investigation before the Investigating Agency/Officer and shall also abide by the following conditions as envisaged under Section 482(2) BNSS:-*

1) That the petitioner shall make herself 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 to the case so as to dissuade him from disclosing such facts to Court or to any police officer.



3) That the petitioner shall not leave India without prior permission of the Court.”

3. Learned State counsel on instructions from SI Parveen, submits that in compliance of order dated 16.5.2025, 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 16.5.2025 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(s) 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(s).

7. The accused-petitioner(s) 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(s) shall not leave India without prior permission of the Court.

9. The accused-petitioner(s) 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, 2023 (erstwhile Section 439(2) of Cr.P.C.) to arrest the accused-petitioner(s), 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.

11. Pending miscellaneous application(s), if any, also stands disposed of.

(KIRTI SINGH)
JUDGE

July 17, 2025
Gurpreet Singh

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