



CRM-M-49875-2024

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-49875-2024
Date of Decision: 24.01.2025

Prem Lata and another
...Petitioners

Versus

State of Haryana
...Respondent

CORAM: HON'BLE MS. JUSTICE KIRTI SINGH

Present:- Mr. Sourabh Saini, Advocate
for the petitioners

Ms. Mahima Yashpal, DAG Haryana

KIRTI SINGH, J.(Oral)

Prayer in the present petition filed under Section 482 of BNSS, 2023 is for grant of anticipatory bail to the petitioners, in case FIR No.0079 dated 26.08.2024 registered under Sections 323, 377, 406, 498-A, 506, 511, 34 IPC at Police Station Women Police Station, Charkhi Dadri, District Charkhi Dadri, Haryana.

2. The following order was passed on 04.10.2024:-
- “Prayer in the 1st petition filed under Section 482 of BNSS 2023 is for grant of anticipatory bail to the petitioners in case FIR No. 0079 dated 26.08.2004 under Sections 323/377/406/498A/506/511/34 IPC registered at PS. Women Police Station, Charkhi Dashi, District Charkhi Dadri, Haryana.*
- Learned counsel for the petitioners inter alia submits that the petitioner No.1 is mother-in-law and petitioner No.2 is the father-in-law of the complainant. It is submitted that son of petitioners No.1 and 2 was married to the complainant on 10.02.2023. One female*



child was born on 13.12.2023. As the son of the petitioners No. 1 and 2 suspected the fidelity of the complainant and suspected that she was in illicit relation with someone else, the parties started residing separately in March, 2024.

Thereafter, a legal notice dated 16.04.2024 (Annexure P-2) was given by the husband of the complainant to the complainant wherein he made the allegation that she is living in illicit relation with someone else. Learned counsel for the petitioners contends that the present FIR dated 26.08.2024 is a counter-blast to the said legal notice as the husband of the complainant had questioned the paternity of the child.

Learned counsel for the petitioners undertakes that the petitioners are ready to join the investigation as and when required and shall cooperate with the investigating agency.

Notice of motion.

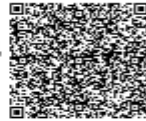
On the asking of Court, Ms. Deepshikha Chauhan, A.A.G. Haryana, accepts notice on behalf of respondent-State.

Learned counsel for the State opposes prayer made on behalf of the petitioners and on instructions from L/ASI Anup submits that serious and specific allegations have been made against the petitioners.

Adjourned to 24.01.2025.

In the meantime, the petitioners are directed to appear before the SHO/Investigating Officer to join investigation and in the event of their arrest, they will be released on interim bail on their furnishing bail bonds to the satisfaction of SHO/Investigating Agency, subject to the following conditions as envisaged under Section 438(2) Cr.P.C.:-

- i. that the petitioners shall make themselves available for interrogation before the Investigating Officer as and when required;*
- ii. that the petitioners 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/her from disclosing such facts to the Court or to any police officer;
iii. that the petitioners shall not leave the country, without prior permission of the Court and shall surrender their passports, if any.

Learned counsel for the State is directed to file an affidavit/status report as to the exact role of the petitioners alongwith the details of pending FIRs, if any, on or before the next date of hearing.”

3. Learned State counsel on instructions submits that the petitioners have joined the investigation and nothing is to be recovered from them as the complainant has refused for the recovery of dowry articles. She further submits that custodial interrogation of the petitioners is not required in this case and they are not involved in any other criminal case.

4. Having considered the aforesaid facts and circumstances, the petition is allowed. Order dated 04.10.2024 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 petitioners 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 petitioners.

7. The accused/petitioners shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case



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so as to dissuade him or her from disclosing such facts to the Court or to any police officer.

8. The accused/petitioners shall not leave India without prior permission of the Court.
9. The accused/petitioners 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) 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.
11. Pending application(s), if any, also stands disposed of accordingly.

24.01.2025
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Whether speaking/reasoned
Whether reportable

(KIRTI SINGH)
JUDGE

Yes/No
Yes/No