

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

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CRM-M-47582-2025 (O&M)
Date of decision: 02.09.2025

Reena Rani**...Petitioner****Versus****State of Punjab****...Respondent****CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA**

Present:- Mr. Sahil Pawar, Advocate
for the petitioner.

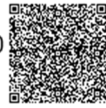
Ms. Ramta Chowdhary, DAG, Punjab.

MANISHA BATRA, J. (Oral)

1. The instant one is the second petition that has been filed by the petitioner under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 (*for short 'BNSS'*) for grant of anticipatory bail to her in case bearing FIR No. 25 dated 14.03.2025, registered under Sections 420 and 120-B of IPC at Police Station Block Majri, District SAS Nagar, wherein offences under Sections 406 and 408 of IPC have been added later on. The previous petition, filed by the petitioner bearing number **CRM-M-31961-2025**, was allowed by this Court and she was granted concession of anticipatory bail, vide order dated 11.08.2025. The operative part of the order reads as follows:

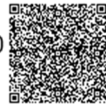
“6. The petitioner is alleged to be a part of conspiracy hatched by her mother and other family members to deprive the complainant from ownership of the house owned by his father, and in pursuance of that conspiracy, they are alleged to have got procured the thumb impressions of the father of the complainant on some agreement to sell. As per the further allegations, the petitioner had withdrawn huge amount of money from the

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bank account of the father of the complainant. The case is, however, based on documentary evidence. The subject offence is triable by Magistrate. It is a debatable question as to whether, the petitioner was part of conspiracy hatched by the co-accused. She has no criminal antecedents. FIR in this case was lodged after a gap of seven years. Civil litigation between the parties is already pending. In view of the above discussed facts and the circumstances peculiar to the case, this Court is of the considered opinion that no case for pre-trial incarceration of the petitioner is made out and there would be no justification for her custodial interrogation. Accordingly, the petition is allowed and the petitioner is directed to join the investigation within a period of ten days from today by appearing and surrendering before the Investigating/Arresting Officer and thereafter also as and when she will be called by the Investigating/Arresting Officer. She will co-operate with the investigation proceedings till the presentation of challan. In case of her failure to do so, it will be open for the prosecution to seek cancellation of bail. She will give the details of her passport, if available, mobile number(s), Aadhaar card, etc. to the Investigating Officer at the time of joining investigation.”

2. Learned counsel for the petitioner has argued that subsequent to passing of aforesaid order, whereby the petitioner was granted concession of anticipatory bail by this Court, the police have added offences under Sections 406 and 408 of IPC in the FIR. Learned counsel for the petitioner has referred to a judgment of Hon’ble Supreme Court in ***Manoj Suresh Jadhav and others vs. The State of Maharashtra, 2018(5) RCR (Criminal) 397***, wherein it has been held that if after grant of bail, a graver offence is added later on, it is not permissible to simply re-arrest the petitioner by ignoring the earlier bail order



and that the State may apply for cancellation of bail and seek custody of the petitioner. Learned counsel for the petitioner has also relied upon the judgments of this High Court in *Upender vs. State of Haryana, 2014(5) RCR (Criminal) 532*, *Manpreet Singh and Another vs. State of Haryana, Law Finder Doc Id#1805561* and a judgment of Allahabad High Court in *Shahzad vs. State of U.P., Law Finder Doc Id#2043302*, wherein the petitioners were granted concession of bail and on addition of offence under Section 307 IPC, they were granted the concession of anticipatory.

3. Learned State Counsel, who has advance notice of the petition and is ready to argue the matter, could not refute any of the aforesaid contentions but opposed the prayer made by the petitioner.

4. After hearing learned counsel for the parties and going through the material placed on record and also on careful consideration of the ratio of law laid down in the aforesaid authorities, this Court is of the considered opinion that the petition deserves to be allowed. Accordingly, the same is allowed. The petitioner is granted concession of anticipatory bail qua newly added offences as well. Hence, it is directed that in case of his arrest, the petitioner shall be released on bail by the Investigating Officer/Arresting Officer, subject to her furnishing bail bonds/ surety bonds to his/her satisfaction. However, it is further directed that the petitioner shall join the investigation as and when so required by the Investigating Officer. She shall further comply with the conditions stipulated in Section 482(2) of BNSS.

02.09.2025

Waseem Ansari

(MANISHA BATRA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No