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2025:PHHC:014211



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

**CRA-S-3953-2024
Date of decision: 30.01.2025**

BALVIR KAUR ALIAS BHOLI **....Petitioner**

Versus

STATE OF PUNJAB AND ANOTHER **....Respondents**

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present:- Mr. Sanjeev K. Virk, Advocate for the petitioner.
(Through V.C.)

Mr. Rajinder Singh Bhatta, DAG Punjab.

None for respondent No.2.

.....
SANJIV BERRY, J. (ORAL)

By way of instant appeal, the appellant has assailed the impugned order dated 12.11.2024, passed by learned Additional Sessions Judge, Jalandhar, in case FIR No.58 dated 09.07.2024 under Sections 115(2), 118(1), 333/351(2), 61(2), BNS registered at Police Station Nurmahal, District Jalandhar, vide which the anticipatory bail of the appellant filed under Section 482 BNSS had been dismissed.

2. Heard.

3. Learned counsel for the appellant contends that appellant is innocent and has been falsely implicated in this case. He contends that vide order dated 10.01.2025, the appellant had been directed to join investigation and granted interim bail. He submits that in pursuance to the aforesaid order, the appellant has joined the investigation.



4. Learned State counsel, on instructions from DSP Sukhpal Singh, P.S. Nakodar, Investigating Officer of the case intimates the Court that the appellant has joined the investigation and is neither required for further investigation nor for any custodial interrogation.

5. During the course of hearing on 10.01.2025, following order was passed: -

“ As per the office report, notice issued to respondent No.2 has been duly served but none has put in appearance on behalf of respondent No.2 to contest the petition.

2. Heard.

3. Admittedly, no specific injury is attributed to the appellant and he is stated to be empty handed at the time of occurrence. The appellant is not having any criminal antecedents and is a lady aged about 51 years.

4. Without commenting on the merits, the appellant is directed to join the investigation within seven days from today and in the event of her arrest, she is ordered to be released on interim bail on her furnishing personal/surety bonds to the satisfaction of the Arresting Officer/Investigating Officer. She shall also abide by conditions as envisaged under Section 482(2) of BNSS, 2023.

5. List on 30.01.2025.

6. Investigating Officer of the case to remain present in Court along with record on that date.”

6. After considering the rival contentions and perusing the record, it transpires that the appellant has been implicated in the instant FIR for having committed offence punishable under Sections 115(2), 118(1), 333/351(2), 61(2), BNS. At the same time, it is not disputed that the appellant, after having been directed vide order dated 10.01.2025, has joined the investigation. As per learned State counsel, she is not required for further investigation nor she is required for custodial interrogation of

the case. This be the case, the interim bail granted to the appellant vide



order dated 10.01.2025 is hereby confirmed subject to the conditions as envisaged under Section 482(2) BNSS. The appellant is directed to join investigation as and when required in future also by way of a written notice for such purpose to be served by Investigating Officer of this case; she will not tamper with the evidence nor will influence the witnesses and will not leave the country without prior permission of the Court.

7. With these observations, the impugned order dated 12.11.2024, passed by learned Additional Sessions Judge, Jalandhar, is set aside and the instant appeal stands allowed.

30.01.2025
puneet

(SANJIV BERRY)
JUDGE

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|-----|----------------------------|--------|
| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |