

2025:PHHC:018131



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

(204)

CRM-M-60646-2024(O&M)

Date of decision: 06.02.2025

Suman Kashyap

.....Petitioner

Versus

State of Haryana

.....Respondents

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr.Pradeep Chhoker, Advocate for the petitioner.

Mr.Neeraj Sheoran, DAG, Haryana.

MAHABIR SINGH SINDHU, J.

Petition under Section 482 of Bhartiya Nagarik Suraksha Sanhita, 2023 (for short, 'BNSS') has been filed for grant of pre-arrest bail to the petitioner in FIR No.602 dated 09.08.2024, under Sections 120-B, 406, 420 and 506 Indian Penal Code, 1860 (for short, 'IPC'), registered at Police Station City Karnal, District Karnal.

2. Above FIR was registered by *de-facto* complainant-Joginder with the allegations that petitioner along with co-accused arranged a fake marriage of complainant with one girl who was already married and took a huge sum of money from complainant for the said purpose.

3. Contends that the Coordinate Bench granted interim bail to petitioner on 17.12.2024 and in terms thereof, he has already joined the investigation; hence his custodial interrogation is not required.

4. Learned State Counsel on instructions from HC-Gurpal Singh acknowledged the above factual position and submits that as on today, custodial interrogation of the petitioner is not required.

5. Heard learned Counsel for the parties and perused the paper-book.

6. It is not in dispute that that petitioner was granted interim bail by the Coordinate Bench vide order dated 17.12.2024 and the order reads as under:-

“In compliance of order dated 03.12.2024, status report has been filed by the learned State counsel in Court today. The same is taken on record.

Adjourned to 06.02.2025.

In the meantime, the petitioner is directed to appear before the Investigating/Arresting Officer to join investigation within one week or as and when required. In the event of her arrest, the Investigating/Arresting Officer shall release the petitioner on interim bail on furnishing personal/surety bonds to his satisfaction. She shall abide by the following conditions as envisaged under Section 482 (2) of BNSS, 2023:-

- 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 Court or to any police officer.*
- 3) That the petitioner shall not leave India without prior permission of the Court.”*

7. It is acknowledged by learned State counsel that in pursuance of aforesaid order, petitioner has joined the investigation; hence his custodial interrogation is not required.

8. In view of the above, there is no justification to deny the concession of pre-arrest bail to the petitioner. Consequently, present petition is allowed; interim order dated 17.12.2024 is made absolute subject to the conditions envisaged under Section 482 (2) of BNSS.

9. It is also made clear that petitioner shall fully co-operate with the Investigating Officer as and when called for further investigation.

10. The above observations may not be construed as an expression of opinion on merits of the case; rather confined only to decide the bail matter.

11. It is also clarified that in case of any recurrence on the part of petitioner, State would be at liberty to move an appropriate application for recalling of this order.

12. Disposed off accordingly.
Pending application(s), if any, shall also stand disposed off.

06.02.2025

sailesh

(MAHABIR SINGH SINDHU)

JUDGE

Whether speaking/reasoned :	Yes/No
Whether Reportable :	Yes/ No