

CRM-M-62698-2024 (O&M) 1

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

217 CRM-M-62698-2024 (O&M)
Date of decision : 29.04.2025

MAMTA RANIPETITIONER

V/S

STATE OF PUNJAB ...RESPONDENT

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present : Mr.Mohit Giri, Advocate
for the petitioner.

Mr. Rajinder Singh Bhatta, DAG, Punjab.

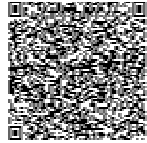
SANJIV BERRY, J.(ORAL)

By way of present petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short, ‘the BNSS’), the petitioner seeks anticipatory bail in case FIR as under: -

FIR No.	Dated	Sections	Police Station
143	05.10.2024	308(2), 318(4), 304 of BNS, 2023	Shahkot, District Jalandhar

2. Learned counsel for the petitioner submits that in compliance to the order dated 13.12.2024, the petitioner has joined the investigation.

3. During the course of hearing on 13.12.2024, following order had been passed: -

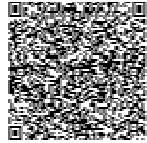


“Prayer is for grant of anticipatory bail to the petitioner under Section 482 of BNSS, 2023 in criminal case having FIR No.143 dated 05.10.2024 registered under Sections 308(2), 318(4), 304 of BNS, 2023 at Police Station Shahkot, District Jalandhar.

Counsel for the petitioner inter alia submits that petitioner is a physically handicapped lady having 70% physical disability as is clear from her disability certificate (Annexure P-2). It is further submitted that the petitioner is falsely implicated in the present case on the ground that the premises wherein the alleged occurrence had taken place, belongs to her. It is further submitted that at the time of alleged occurrence, the petitioner was not present in the said premises and was staying with her parents as she had given birth to a child in July, 2024 and the concerned discharge certificate is Annexure P-1. It is further submitted that the petitioner never extorted any money from the complainant and that the petitioner is ready to join investigation with the police.

Notice of motion.

Mr. Jasjeet Singh Dhaliwal, AAG, Punjab accepts notice on behalf of the State and submits that petitioner actively participated in the occurrence as narrated in the FIR and is required by the police for proper investigation of the case. Learned State counsel further apprised the Court that at the time of occurrence, the petitioner was present in the adjoining room. The State counsel prays for time to seek instructions as to whether the present petitioner is having any physical disability.



Needful be done by the next date of hearing.

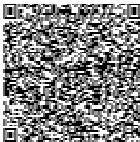
Now be listed on 28.01.2025.

In the meantime, the petitioner, who is stated to be having physical disability is hereby directed to join investigation with the police and in case of arrest, she is directed to be released on interim bail by the IO/Arresting Officer to his own satisfaction till the next date of hearing. The petitioner is to abide by the conditions as envisaged under Section 482(2) of BNSS, 2023. ”

4. Learned State counsel on instructions received from ASI Sarwan Singh informs the Court that the petitioner has joined the investigation and is neither required for further investigation nor for any custodial interrogation.

5. Keeping in view the above submissions made by learned State counsel and the fact that the petitioner had joined the investigation consequent to the order dated 13.12.2024 passed by this Court, interim bail granted vide order dated 13.12.2024 is hereby confirmed, subject to conditions as envisaged under Section 482(2) of BNSS. Further the petitioner is directed to join investigation as and when required in future by way of written notice for such purpose to be served by Investigating Officer of this case upon the petitioner; she will not tamper with the evidence nor will influence the witnesses and will not leave the country without prior permission of the Court.

6. The petition stands allowed.



7. It is made clear that anything contained hereinabove shall not be construed to be an expression of opinion on the merits of the case.

(SANJIV BERRY)
JUDGE

29.04.2025
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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |