



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

**CRM-M-63229-2024 (O&M)
Date of decision: 10.03.2025**

Kamia Sharma

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present:- Mr. Namit Khurana, Advocate for the petitioner.

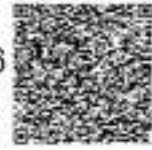
Mr. Neeraj Sheoran, DAG, Haryana for the respondent.

MAHABIR SINGH SINDHU, J.

Present petition has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (*for short* 'BNSS') for grant of pre-arrest bail to the petitioner in FIR No.400 dated 21.09.2023 (P-1), under Sections 420, 406, 447, 120-B of the Indian Penal Code, 1860 (*for short* 'IPC') [Sections 467 & 468 IPC added later on], registered at Police Station Gandhi Nagar, District Yamunanagar.

(2) Learned Counsel contends that petitioner was granted interim protection by a Coordinate Bench, vide order dated 16.12.2024 and in pursuance thereof, she has already joined the investigation; hence, her custodial interrogation is not required.

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- (3) The above factual position is not disputed by learned State Counsel, on instructions from ASI Balbir.
- (4) Heard learned Counsel for the parties and perused the paper-book.
- (5) It transpires that petitioner was granted interim protection by a Coordinate Bench, vide order dated 16.12.2024 and the order reads as under:-

“Petitioner Kamia Shama has filed this petition under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of anticipatory bail in FIR No.400 dated 21.09.2023, under Sections 420, 406, 447, 120-B of IPC (Section 467, 468 of IPC were added later on), registered at Police Station Gandhi Nagar, District Yamuna Nagar.

Learned counsel for petitioner argued that the allegations against petitioner are vague and baseless. She is falsely implicated in this case. No recovery is to be effected from her. Co-accused Abhimanyu Sharma and Abhishek Sharma have already been granted anticipatory bail. She is not involved in any other FIR. She is ready to join the investigation.

Notice of motion.

On asking of this Court, Mr. Rupinder Singh Jhand, Addl. A.G., Haryana accepts notice on behalf of State and prays for an adjournment to file status report.

Considering the aforesaid factual position, arrest of present petitioner is stayed till the next date of hearing, subject to her joining investigation.

Let status report be filed.

Adjourned to 05.02.2025.”

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(6) It is duly acknowledged by learned State Counsel that in pursuance of the aforesaid order, petitioner has joined investigation and her custodial interrogation is not required.

(7) 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 16.12.2024 is made absolute subject to the conditions as envisaged under Section 482 (2) of the BNSS.

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

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

(10) 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.

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

10th March, 2025
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(MAHABIR SINGH SINDHU)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>