

CRM-M-64402-2024

233

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CRM-M-64402-2024

Date of Decision: 15.02.2025

Sama

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Sourabh Kandoi, Advocate for  
Mr. Munfaid Khan, Advocate  
for the petitioner.

Mr. Aashish Bishnoi, D.A.G., Haryana.

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ANOOP CHITKARA, J.

| FIR No. | Dated      | Police Station              | Sections    |
|---------|------------|-----------------------------|-------------|
| 126     | 11.09.2021 | Uttawar, District<br>Palwal | 302, 34 IPC |

1. The petitioner apprehending arrest in the FIR captioned above has come up before this Court under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, [BNSS], seeking anticipatory bail.
2. Vide order dated 19.12.2024, the concerned DySP was asked to file reply and arrest of the petitioner was stayed.
3. The concerned DySP has filed status report and para no.5 of said status report reads as follows:-

*“5. That during investigation of the case, the petitioner has been found innocent in the present case and it has found that Zakir son of Rakamuddin, resident of Uttawar, who has knowledge of medical work, had opened his clinic on Pingawan Road in his village Uttawar. In 2019, Zakir employed Samma (petitioner) to work as a midwife at his clinic. Because of this, Zakir’s wife Arfeena began suspecting Zakir and Samma (petitioner), which led to frequent disputes between Zakir and his wife Arfeena. Zakir also started beating his wife. Due to this, Samma (petitioner), after working at the clinic for 203 months, left the clinic and moved with her family to her sister-in-law’s house in the village of Kaithwara, Rajasthan, to earn a livelihood through labor. Samma (petitioner) along with*



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*her family, started living on rent in the house of a man named Majlis son of Jomu, resident of Kaithwara, Police Station kaithwara, District Bharatpur, Rajasthan, where she is still living. She has been earning a livelihood through hard work and labor with her family.”*

4. Given above, once the petitioner has been declared innocent, there cannot be any apprehension of arrest.

5. In view of above, the present petition is disposed of as having been rendered infructuous. All pending applications, if any, stand disposed of. It is clarified that if any further investigation is to be carried out and Investigator wants to arrest her, in that case, at least seven days advance notice be given to her to enable her to avail her legal remedies in accordance with law.

(ANOOP CHITKARA)  
JUDGE

15.02.2025  
Jyoti Sharma

Whether speaking/reasoned: Yes  
Whether reportable: No.

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(ANOOP CHITKARA)  
JUDGE

15.02.2025  
Jyoti Sharma

Whether speaking/reasoned: Yes  
Whether reportable: No.