



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

209

CRM-M-65500-2024
Decided on : 03.04.2025

Roshni alias Roshani

... Petitioner(s)

Versus

State of Haryana

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. Samay Sandhawalia, Advocate (**through V.C.**)
for the petitioner(s).

Ms. Mayuri Lakhanwal, DAG, Haryana.

Mr. Bharat Julka, Advocate
for the complainant.

SANJAY VASHISTH, J. (Oral)

1. In the present petition, on 24.12.2024, following order was
passed by this Court:-

“1. Present petition has been filed by one Roshni alias Roshani, aged about 58 years, for grant of anticipatory bail in case bearing FIR No.191 dated 27.06.2024 under Sections 323, 506, 285, 148, 149 IPC and later on added Section 307 IPC and Section 25 of the Arms Act, registered at Police Station Tohana Sadar, District Fatehabad.

2. Counsel for the petitioner contends that the petitioner who is a woman, aged 58 years, has been falsely involved in the case. In fact, there is a land dispute and the same is yet to be decided.

3. Further submits that complainant party is already facing an FIR No.190 dated 26.06.2024 registered under Section 302 I.P.C. at Police Station Sadar Tohana, District Fatehabad. Said FIR was lodged at the instance of one Vikas, who is son of the present petitioner. Thus, the FIR version (FIR No.191) is nothing but a counter-blast against (FIR No.190).

Moreover, there being bailable offences, petitioner was already on bail with no allegation of misusing the concession. It is after the period of five months that the offence under Section 307 I.P.C. has been added, solely with the purpose to aggravate the offence and to apply pressure upon the petitioner in the murder case.

4. Notice of motion.

5. On advance notice, Mr. Karan Sharma, DAG, Haryana, appears on behalf of the respondent/State along with Investigating Officer.

6. At this stage, Mr. B.S. Beniwal, Advocate, has put an appearance through VC mode, and accepts notice on behalf of the



complainant.

7. *Adjourned to 06.03.2025.*

8. *In the meanwhile, the petitioner is directed to join the investigation as and when required to do so by the Investigating Agency. In the event of her arrest, the petitioner shall be released on ad-interim bail, subject to her furnishing bail bonds to the satisfaction of the Arresting Officer. The petitioner shall also abide by all the conditions laid down under Section 482(2) of the BNSS, 2023.*

9. *Besides, petitioner would submit/surrender her passport before the Arresting Officer and an undertaking on oath that in case of leaving the country, she would seek prior permission from the Investigating Agency/concerned Court.”*

2. In addition, counsel for the petitioner submits that three separately filed anticipatory bail petitions by the co-accused namely; Sunil Kumar, Balwant and Vikas, were allowed by this Court vide order dated 25.02.2025, and role of the petition is on better footings than those co-accused (petitioners in the said petitions).

In support of his submissions, counsel produces a copy of order dated 25.02.2025, passed in **CRM-M-65552-2024 & other connected cases**, in Court today, which is taken on record, subject to all just exceptions. Office to tag the same at appropriate place.

3. Counsel further submits that in compliance of the order dated 24.12.2024, passed by this Court, petitioner, who is a woman and aged about 58/59 years, has already joined the investigation and is ready to co-operate with investigation agency, as and when same is required again.

4. On the other hand, learned State counsel, also confirms the said statement of joining the investigation and thus, submits that the custodial interrogation of the petitioner is not required, at this stage, for the purpose of investigation.

Besides, learned State counsel also affirms the factum of granting of concession of anticipatory bail to other co-accused by this Court



vide common order dated 25.02.2025.

5. Heard.

6. Since the petitioner has already joined the investigation and his custodial interrogation is not even asked for, present petition is **allowed** and the ad-interim order dated 24.12.2024 is hereby made absolute.

However, petitioner shall continue to join the investigation as and when required to do so and abide by all the terms and conditions laid down under Section 482(2) of BNSS, 2023.

7. Besides, it is directed that petitioner would hand over his passport to the Investigating Agency or to Court concerned, if he possesses. Otherwise, would submit an affidavit, disclosing the fact that he does not possess any passport.

It is also directed that before leaving country any time during trial, petitioner would seek prior permission of the Court.

8. **Accordingly, petition stands disposed of.**

(SANJAY VASHISTH)
JUDGE

April 03, 2025

J.Ram

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