



CRA-S-1251-2026

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**IN THE HIGH COURT OF PUNJAB AND HARYANA
204 -3 AT CHANDIGARH**

**CRA-S-1251-2026
Date of decision: 30.04.2026**

SUNITA SHARMA**...APPELLANT****VERSUS****STATE OF PUNJAB AND ANR.****...RESPONDENTS****CORAM: HON'BLE MR. JUSTICE H.S.GREWAL**

Present: Mr. Saurav Bhatia, Advocate and
Mr. Navdeep S. Khokhar, Advocate for the appellant.

Mr. Rohit Hans, DAG, Punjab.

H.S.GREWAL,J. (ORAL)

1. This appeal has been preferred by the appellant challenging the order dated 07.04.2026 passed by the learned Judge, Special Court, Shaheed Bhagat Singh Nagar, whereby the pre-arrest bail application of the appellant in case bearing FIR No.0005 dated 07.01.2025, registered under Sections 299 and 351(3) of BNS, 2023 (Sections 295-A and 506 IPC) and Section 3 of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 at Police Station City Balachaur, Distric SBS Nagar has been dismissed.

2. This Court, vide order dated 10.04.2026, had directed the appellant to appear before the SHO/Investigating Officer and join investigation and in the event of his arrest, he was ordered to be released on interim bail to the satisfaction of the SHO/Investigating Officer, subject to the conditions envisaged under Section 482(2) of the BNSS (erstwhile Section 438(2) Cr.P.C.).

3. Learned counsel for the appellant submits that in compliance of the order dated 10.04.2026, passed by this Court, the appellant has joined and cooperated with the investigation.



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4. Status report by way of affidavit of Hemant Malhotra, PPS, Deputy Superintendent of Police, Balachaur, District SBS Nagar, Punjab, behalf of the respondent-State has been filed in Court today and the same is taken on record. Copy thereof has been supplied to the counsel opposite.

5. Learned State counsel states that the appellant has joined the investigation and is not required for further custodial interrogation.

6. Mr. A.S.Barnala, Advocate has put in appearance on behalf of the complainant and filed Vakalatnama, which is taken on record. He has vehemently opposed the prayer made by learned counsel for the appellant.

7. In view of the statement made by learned State counsel, the appeal is allowed and the interim order dated 10.04.2026 is **made absolute**. The appellant shall continue to join investigation, as and when called by the Investigating Officer and shall also abide by the conditions as provided under Section 482(2) of the BNSS.

8. However, it is clarified that the investigating authority on addition of an offence or offences may not proceed to arrest the accused/appellant, but for arresting the accused/appellant on such addition of offence or offences it needs to obtain an order to arrest the accused/appellant from the Court which had granted the bail in view of the judgment passed by the Hon'ble Supreme Court in *Sumit Vs State of U.P. and Another*, Criminal Appeal No. 830 of 2026, decided on 09.02.2026.

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

30.04.2026

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(H.S.GREWAL)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No