



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

CRM-M-20826-2026

Date of decision: 27.05.2026

POOJA

....Petitioner

Versus

STATE OF HARYANA

....Respondent

CORAM:- HON'BLE MS. JUSTICE RUPINDERJIT CHAHAL

Present:- Mr. Sachin Mittal, Advocate for the petitioner.

Ms. Shaveta Sanghi, DAG Haryana.

.....

RUPINDERJIT CHAHAL, J. (ORAL)

1. Prayer in the instant petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 is for grant of anticipatory bail to the petitioners in FIR No.0045 dated 09.03.2026 under Sections 308(2), 308(6) & 61 of the Bhartiya Nyaya Sanhita (BNS), 2023, registered at Police Station Narwana City, District Ludhiana.
2. Brief facts of the present case as per the prosecution are that the petitioner in connivance with other co-accused lodged a false rape case involving her own daughter upon complainant's nephew and his friend and further tried to extort a sum of Rs.30 lakhs. Hence, the present FIR.
3. Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case and she has no concern with the said offence. He submits that the present FIR is just a counter-blast to an earlier FIR dated 07.03.2026 registered at the instance of the present petitioner against the complainant's nephew namely Sumit and his friend Ankit. He further submits that the petitioner was pressurized to settle the matter as the reputation of petitioner's daughter was at stake. He submits



that no specific role is attributed to the petitioner and the alleged recovery is from co-accused. Learned counsel further submits that the petitioner is ready and willing to join the investigation as and when called upon to do so by the investigating agency. Therefore, it is urged that the petition deserves to be allowed.

4. Learned State counsel has already filed the status report in the matter and he, relying upon the same, has vehemently opposed the prayer for bail. It is submitted that the offence allegedly committed by the petitioner is serious in nature. The learned counsel further contends that the petitioner had lodged a false rape case involving her own daughter. She submits that the said case was registered by her to blackmail the complainant's nephew and his friend. She further submits that the petitioner had demanded a sum of Rs.30 lakhs from the complainant to settle the matter and thereafter, the matter was settled for a sum of Rs.27 lakhs. She further submits that one of the associate of the petitioner namely Vikas who had come to accept the amount from the complainant was caught red-handed. She submits that custodial interrogation of the petitioner is required as it is a case of honey trapping and without custodial interrogation of the petitioner it cannot be unearthed that in how many other cases the petitioner has blackmailed other persons. On these grounds, the learned State counsel has prayed for dismissal of the present petition.

5. Heard.

6. The allegations levelled against the petitioners are of an extremely serious nature. The petitioner, in connivance with other co-



accused persons, allegedly lodged a false rape case with an intent to blackmail the complainant and extort money from him. The allegations further reveal that a settlement amount of Rs.27 lakhs was allegedly negotiated and one of the associates of the petitioner was apprehended while receiving the said amount. At this stage, the material available on record prima facie indicates the involvement of the petitioner in the alleged offence. The allegations are grave in nature and require thorough investigation. The custodial interrogation of the petitioner is necessary to unearth the entire modus operandi and to ascertain whether other persons have also been similarly targeted. At this stage, the plea of false implication and counter-blast is a matter of trial. The investigation is at a crucial stage, and custodial interrogation of the petitioner is necessary to unearth the full conspiracy and the involvement of other co-accused. While considering the plea for grant of anticipatory bail, this Court is required to consider the overall nature of offence and accusations against the accused, the manner of occurrence, the gravity of offence and the potential impact of granting pre-arrest protection to the petitioner, at this stage. Granting anticipatory bail to the petitioner with such allegations, at this preliminary stage, would not be justified as it may affect the course of fair investigation and undermine the seriousness of the alleged act.

7. It is befitting to mention here that while considering a plea for grant of anticipatory bail, the Court has to equilibrate between safeguarding individual rights and protecting societal interest(s). The Court ought to reckon with the magnitude and nature of the offence; the role attributed to the accused; the need for fair and free investigation as also the



deeper and wide impact of such alleged iniquities on the society. It would be apposite to refer herein judgment of Hon'ble Supreme Court in '**State Vs. Anil Sharma', (1997) 7 SCC 187**, wherein it has been held as under:

"6. We find, force in the submission of CBI that custodial interrogation is qualitatively more elicitation-oriented than questioning a suspect who is well-ensconced with a favourable order under Section 438 of the Code. In a case like this, effective interrogation of a suspected person is of tremendous advantage in disinterring many useful information and also materials which would have been concealed. Success in such interrogation would elude if the suspected person knows that he is well protected and insulated by a pre-arrest bail order during the time he is interrogated. Very often interrogation in such a condition would reduce to a mere ritual. The argument that the custodial interrogation is fraught with the danger of the person being subjected to third degree methods need not be countenanced, for, such an argument can be advanced by all accused in all criminal cases. The Court has to presume that responsible police officers would conduct themselves in a responsible manner and that those entrusted with the task of disinterring offences would not conduct themselves as offenders."

8. Accordingly, this Court finds no merit in the present petition in the factual matrix of the case in hand. Moreover, custodial interrogation of the petitioner is necessary for effective investigation and if it is denied, it will leave many loose ends, which is not desired. Thus, the present petition being devoid of merits is hereby dismissed.

9. It is made clear that nothing said hereinabove shall be deemed to be an expression of opinion upon merits of the case/investigation.

(RUPINDERJIT CHAHAL)
JUDGE

27.05.2026

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