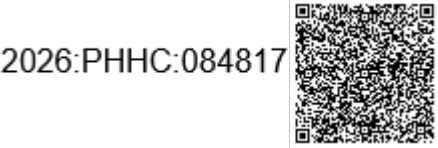


IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH



208

CRM-M-26410-2026 (O&M)

Charanjeet Kaur

... Petitioner

Vs.

State of Punjab

... Respondent

1.	The date when the judgment is reserved	26.05.2026
2.	The date when the judgment is pronounced	29.05.2026
3.	The date when the judgment is uploaded on the website	29.05.2026
4.	Whether only operative part of the judgment is pronounced or whether the full judgment is pronounced	Full
5.	The delay, if any, of the pronouncement of full judgment, and reasons thereof	Not applicable

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. K.B. Raheja, Advocate for the petitioner.

Ms. Sakshi Bakshi, AAG, Punjab.

...

Manisha Batra, J. (Oral).

1. The instant one is the second petition as filed by the petitioner seeking benefit of anticipatory bail in case arising out of FIR No.277, dated 31.12.2024, registered under Sections 308(2) and 61(2) of the BNS (offence under Sections 308(6) and 319(2) of the BNS were added lateron) at Police Station City Sangrur, District Sangrur, on the allegations that on 23.12.2024, the complainant – Manish Kumar was present in his shop, when accused

Manpreet Kaur reached there and after asking about the whereabouts of his brother Shekhar Goyal, she had left. The complainant then received an information on 25.12.2024, about the said Manpreet Kaur being admitted in Civil Hospital and her lodging a complaint regarding commission of an act of rape upon her by them. The complainant in his complaint filed before the police alleged that he along with some other persons had gone to hospital wherein the present petitioner while claiming herself to be the mother of Manpreet Kaur as well as co-accused met them and raised demand of Rs.7 lakhs and otherwise threatened to foist a case of gang rape upon them. The complainant alleged that to save the honour and reputation of his family, he had agreed to pay a sum of Rs.5 lakhs and had given a sum of Rs.2 lakhs but the petitioner and co-accused were extending threats to him and as such, he prayed for taking action in the matter.

2. After registration of the FIR, investigation proceedings were initiated. Apprehending her arrest, the petitioner moved an application for grant of anticipatory bail which had been dismissed by the Court of learned Additional Sessions Judge, Sangrur vide order dated 14.01.2025. Thereafter, she filed a petition making similar prayer before this Court bearing CRM-M-16087-2025, which has been dismissed vide order dated 25.03.2025.

3. It is argued by learned counsel for the petitioner that she has been falsely implicated in this case. Infact, a conspiracy has been hatched by the police and the complainant to falsely involve her and Manpreet Kaur in this case. As on 23.12.2024, the brother of the complainant had gone to a hotel with Manpreet Kaur and had sexually assaulted her. Subsequently, to save him, this complaint had been lodged. Challan against co-accused

Manpreet Kaur has since been presented, which shows that statement of Manpreet Kaur was recorded on 26.12.2024 under pressure to the effect that she had gone with the brother of the complainant at her own. There was no occasion for Manpreet Kaur to record such statement and this fact itself suggests that she acted under pressure. A total false story has been concocted. Even otherwise, she is ready to join the investigation. On account of dismissal of her previous petition, her right to file this second petition for anticipatory bail is not barred by the principles of *res judicata*. To buttresses his contention, he has relied upon decision of the Apex Court rendered in **Rani Dudeja Vs. State of Haryana, 2017(13) SCC 555** and the judgments of this Court passed in **Ajarudin @ Azru Vs. State of Haryana, (2024) 4 RCR (Criminal) 550** and **Bhisham Singh Vs. State of Haryana (2024) 3 RCR (Criminal) 65**, it is, therefore, argued that the petitioner deserves to be released on bail.

4. Per contra, while relying upon the status report, learned State counsel has argued that the previous petition for grant of anticipatory bail as filed by the petitioner had been dismissed by passing a detailed order on 25.03.2025. The petitioner has failed to point out any drastic or substantial change in the circumstances. As such, this petition is not maintainable. Even otherwise, no exceptional circumstance for exercising powers for grant of pre-arrest bail to the petitioner has been made out. For the purpose of conducting proper investigation, her custodial interrogation is must. It is, therefore, stressed that the petition does not deserve to be allowed.

5. This Court has heard the rival submissions made by learned counsel for the parties.

6. Undisputedly, the well settled proposition of law is that successive application for grant of anticipatory bail is maintainable even if the previous application/petition was dismissed as withdrawn, not pressed, or dismissed on merits. However, for such a petition to succeed, the accused is required to show some substantial or drastic change in the circumstances and mere superficial or ostensible change does not specify. In the instant case, the previous petition as filed by the petitioner had been dismissed by passing a detailed order. The allegations against the petitioner are that in connivance with the co-accused Manpreet Kaur, who is her daughter, she had tried to foist a false case of gang rape upon the complainant and his brother with an intent to extort money from them. The petitioner is alleged to have raised demand of Rs.7 lakhs to hush up that case and a sum of Rs.2 lakhs had even been paid by the complainant. The allegations *prima facie* make out a case for commission of subject offences as against the petitioner. Her antecedents are not clean as she has been involved in another case under the provisions of Immoral Traffic (Prevention) Act, 1956. The allegations against her are of serious in nature. Keeping in view the gravity thereof, her antecedents and the fact that no exceptional or sparing circumstance for grant of bail is shown to have been made out in this case rather for the purpose of recovery of extorted money as well as for conducting a fair investigation, her custodial interrogation is required. It is well settled proposition of law that powers for grant of anticipatory bail should be exercised in exceptional and extraordinary circumstances and not in routine manner. No such circumstance, however, has been made out in this case. If the petitioner is given the shield of anticipatory bail that shall leave many

glaring loopholes and gaps, thereby adversely affecting the investigation. The Court is also required to see that an order of anticipatory bail does not operate as inroad in the normal legal procedure of criminal cases by the trial Court. Accordingly, finding no compelling ground to allow the petition, the same is dismissed.

7. It is, however, clarified that observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

8. Since the main petition has been dismissed, pending application, if any, is rendered infructuous.

29.05.2026

harjeet

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

(MANISHA BATRA)
JUDGE