

IN THE HIGH COURT OF PUNJAB & HARYANA AT  
CHANDIGARH

2025:PHHC:036884



(221)

CRA-S-3661-2024(O&M)  
Date of Decision: 18.03.2025

Pooja Kapoor & another

--Appellants

Versus

State of Punjab & another

--Respondents

**CORAM:- HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL.**

Present:- Mr. G.S. Jagpal, Advocate for appellants.

Mr. Amit Rana, Sr. DAG, Punjab.

Mr. G.S. Bains, Advocate for

Mr. T.S. Sandhu, Advocate for respondent no.2.

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**MANJARI NEHRU KAUL.J (Oral)**

The appellants are challenging the order dated 24.10.2024 passed by learned Court of Additional Sessions Judge, Ludhiana vide which application seeking bail of the appellants under Section 482 BNSS in case bearing FIR No.176 dated 23.09.2024 for the offences under Sections 296 BNS, Section 67 of the IT Act and Section 3(1)(R) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 registered at Police Station Division No.5, District Ludhiana had been dismissed.

On 10.12.2024, while noticing the following submissions made by the learned counsel for the appellants, this Court had granted the concession of interim bail to the appellants and asked them to join investigation:-

*“Learned State counsel has not disputed that after the registration of FIR in question, an inquiry was carried out by the investigating agency and the video footage provided by the*

*complainant qua the occurrence was also considered; however, the appellants were not visible indulging in the alleged castiests utterances even though voices of some persons were audible.”*

Learned counsel for the petitioner submits that in compliance of order dated 10.12.2024, the appellants have joined investigation and cooperated with the investigating agency. He, on further instructions, submits that the appellants are not required for further investigation much less for their custodial interrogation.

Learned State counsel has not disputed the submissions made by learned counsel for the appellants that there has been compliance of order dated 10.12.2024.

The contents of the enquiry report, which are part of the FIR have also not been refuted by the learned State counsel, wherein it has been stated that although, the voice of a lady is audible, however, the face of the lady indulging in abusive/castiests utterances is not visible.

On a pointed query put to counsel, it has also not been disputed that the occurrence in question, particularly with respect to the spot, where the alleged abusive/castiests utterances were allegedly made was within four walls of the house of the complainant.

In view of the above, the appeal is allowed and interim order dated 10.12.2024, is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C./482(2) of BNSS, 2023.

**(MANJARI NEHRU KAUL)  
JUDGE**

**18.03.2025**

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