



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

214

CRM-M-4400-2025 (O&M)

Date of decision: 17.03.2025

Rajwant Kaur

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Ms. Gagandeep Kaur, Advocate
for Mr. Amardeep Singh, Advocate
for the petitioner.

Mr. Sandeep Kumar, DAG, Punjab.

HARPREET SINGH BRAR J. (Oral)

1. This petition has been filed under Section 482 of BNSS, 2023, seeking anticipatory bail in case FIR No.190 dated 23.09.2024 under Sections 109, 324(4) of the Bharatiya Nyaya Sanhita, 2023 (for short 'BNS') and Section 25 of Arms Act, 1959 (Sections 308(6), 111, 3(5) of BNS were added later on), registered at Police Station Lopoke, District Amritsar.

2. On 27.01.2025, the following order was passed:-

“XX XX XX XX
Learned counsel for the petitioner, inter alia, contends that the petitioner is not named in the FIR (supra) and her son, who is the main culprit, has already been disowned by her late husband in the year 2022. The petitioner is a household lady and she has no concern with the alleged incident and is having clean antecedents.

Notice of motion for 28.02.2025.



*Keeping in view the ratio of law enunciated by the Hon'ble Supreme Court in **Satender Kumar Antil Vs. CBI (2022) 10 SCC 51; Siddharam Satlingappa Mhetre Vs. State of Maharashtra and others 2010 SCC OnLine SC 137; Gurbaksh Singh Sibbia etc. Vs. State of Punjab (1980) 2 SCC 565, Arnesh Kumar Vs. State of Bihar (2014) 8 SCC 273 and Sushila Aggarwal Vs. State of NCT Delhi 2020 (1) RCR (Criminal) 833**, the petitioner is directed to appear before Investigating Officer within a period of two weeks from today and thereafter, as directed by the Investigating Officer. In the event of arrest, the petitioner will be admitted to interim anticipatory bail on furnishing bail/surety bonds to the satisfaction of Investigating/Arresting Officer. The petitioner shall cooperate with the investigation/Arresting Officer and abide by the conditions as provided under Section 482(2) of BNSS (erstwhile Section 438(2) of the Code of Criminal Procedure, 1973).*

If the Arresting Officer does not permit the petitioner to join the investigation, she would appear before learned Illaqa Magistrate, who would then summon the Arresting Officer and direct him to join the petitioner in the investigation, in terms of the order of this Court.

Nothing observed hereinabove shall be construed as an expression of opinion by this Court and learned trial Court shall decide the case on its own merits, strictly in accordance with law.”

3. Learned State counsel, on instructions from ASI Parshotam Lal, at the very outset, informs the Court that the petitioner has joined the investigation and her custodial interrogation is not required.



4. In view of the statement of learned State counsel, order dated 27.01.2025 is hereby made absolute. The petitioner shall abide by the terms and conditions envisaged under Section 482(2) of BNSS (*erstwhile Section 438(2) of the Code of Criminal Procedure, 1973*).

5. The petition stands disposed of.

(HARPREET SINGH BRAR)
JUDGE

17.03.2025

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Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No