



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

209

CRM-M-65544-2024(O&M)

Date of Decision: 05.03.2025

Kusum Lata Soni

...Petitioner(s)

Versus

State of Punjab and another

...Respondent(s)

CORAM: HON'BLE MS. JUSTICE KIRTI SINGH

Present:- Ms. Gagandeep Kaur, Advocate for the petitioner.

Mr. Randhir Singh Thind, DAG, Punjab.

KIRTI SINGH, J. (Oral)

1. Apprehending arrest the petitioner has filed this petition under Section 482 of BNSS for grant of anticipatory bail in case bearing FIR No.0034 dated 23.11.2024 under Sections 85, 316(2) of BNS, registered at Police Station NRI, District Hoshiarpur.

2. On 27.12.2024, this Court has passed the following order:-

“At the outset, learned counsel for the petitioner submits that the complainant could not be arrayed as a party-respondent due to inadvertence. On her oral request, the following person is directed to be impleaded as a party-respondent No. 2 in this case.

“Suman Lata D/o Mohan Lal Bij R/o Village and Post Office Bassi Kalan, Police Station Chabewal, Tehsil and District Hoshiarpur.”

The Registry is directed to make necessary corrections in the memo of parties.

Apprehending her arrest in FIR No. 0034 dated 23.11.2024 registered for offences punishable under Sections 85, 316(2) of BNS at Police Station NRI, Hoshiarpur, District



Hoshiarpur; the petitioner has preferred this petition under Section 482 of BNSS seeking pre-arrest bail.

Inter-alia contends that the petitioner is a lady aged about 46 years, the genesis of the FIR in question is the matrimonial discord between the complainant-wife and brother of the petitioner, the petitioner is willing to handover/return the dowry articles/Istridhan including gold articles in her possession; petitioner is ready for an amicable settlement & the petitioner is willing to join investigation and cooperate therein.

Notice of motion.

On asking of the Court, Mr. Adhiraj Singh, AAG, Punjab appears and accepts notice on behalf of the respondent-State.

Adjourned to 11.02.2025.

The petitioner is directed to appear before the Investigating Officer on 07.01.2025 at 11:00 A.M. in concerned Police Station and join investigation. In the event of arrest, the petitioner shall be released on interim bail subject to her furnishing personal/surety bond(s) to the satisfaction of the Arresting Officer/Investigating Officer. As and when further called by Investigating Officer, the petitioner shall join the investigation. She shall abide by the condition(s) enumerated under Section 482(2) of BNSS, 2023.”

3. Learned State counsel on instructions from ASI Sohan Singh - Investigating Officer submits that in compliance of order dated 27.12.2024, the petitioner has joined the investigation and is not required for any further investigation.
4. Having considered the aforesaid facts and circumstances, the petition is allowed. Order dated 27.12.2024 passed by this Court, is hereby made absolute.
5. This order should not be treated as "blanket" order. It will not be read granting the petitioner indefinite protection from arrest. It shall be



confined to the FIR mentioned ibid and will not operate in respect of any other incident that involves commission of an offence.

6. This order does not in any manner limit or restrict the rights or duties of the police or investigating agency to investigate into the charges against the petitioner.

7. The accused/petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him or her from disclosing such facts to the Court or to any police officer.

8. The accused/petitioner shall not leave India without prior permission of the Court.

9. The accused/petitioner shall join the investigation as and when called by the police.

10. It will be open to the police or the investigating agency to move to this Court for a direction under Section 483(3) of BNSS (erstwhile Section 439(2) of the Code of Criminal Procedure, 1973) to arrest the accused, in the event of violation of any term, such as absconding, non-cooperating during investigation, evasion, intimidation or inducement to witnesses with a view to influence outcome of the investigation or trial.

05.03.2025

Kapil

(KIRTI SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No