



CRM-M No.56864-2024

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

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**CRM-M No.56864-2024 (O&M)
Date of Decision: 23.01.2025**

Inderpreet Kaur @ Rossy

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Rajesh Lamba, Advocate for
Mr. Manan Bhardwaj, Advocate for the petitioner.

Mr. Ashok Singh Chaudhry, Addl.A.G, Haryana.

MAHABIR SINGH SINDHU, J.

Present petition has been filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') for grant of pre-arrest bail to the petitioner in FIR No. 425 dated 17.09.2024, under Sections 406, 420 read with Section 34 of Indian Penal Code, 1860 (for short 'IPC'), registered at Police Station Civil Lines, District Karnal.

2. Allegations are that petitioner duped complainant of Rs.5 lakh and 110 grams of gold on pretext of saving her son from black magic.

3. Contends that petitioner was granted interim bail by the Coordinate Bench, vide order dated 13.11.2024 and in pursuance thereof, she has already joined the investigation; hence, her custodial interrogation is not required.

4. The above factual position is not disputed by learned State Counsel, on instructions from SI Bansi Lal.

5. Heard learned counsel for the parties and perused the paper-



book.

6. It transpires that petitioner was granted interim bail by the Coordinate Bench, vide order dated 13.11.2024 and which reads as under:-

“Apprehending arrest in FIR No.425 dated 17.09.2024 registered under Sections 406, 420 and 34 IPC at Police Station City Civil Lines, Karnal, the petitioner has preferred this petition under Section 482 of BNSS, 2023 for grant of pre-arrest bail.

Learned counsel for the petitioner inter alia submits that it is alleged that the petitioner defrauded the complainant Ritu Singla of Rs. 5 lacs and 110 grams of gold by promising her to save her son from the spell of magic which as per the petitioner had been cast upon the family of the complainant leading to the death of the husband of the complainant. He further submits that the petitioner has been falsely implicated in this case and the FIR has been lodged after a delay of 2 ½ years. He further submits that husband of the petitioner has been granted the concession of anticipatory bail by the learned trial Court vide order dated 04.11.2024.

Notice of motion.

At the asking of the Court, Mr. Gaurav Bansal, DAG, Haryana accepts notice on behalf of the respondent-State.

Adjourned to 17.12.2024.

In the meantime, the petitioner is directed to appear before the Investigating/Arresting Officer to join investigation within one week or as and when required. In the event of her arrest, the Investigating/Arresting Officer shall release the petitioner on interim bail on furnishing personal/surety bonds to her satisfaction. She shall abide by the following conditions as envisaged under Section 483(2) BNSS, 2023 :-

1) That the petitioner shall make herself available for interrogation by a police officer as and when required to do so.

2) That the petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts to the Court or to any police officer.

3) That the petitioner shall not leave India without prior permission of the Court.”

7. It is duly acknowledged by learned State Counsel that in pursuance of the aforesaid order, petitioner has joined investigation and her custodial interrogation is not required.

8. In view of the above, there is no justification to deny the concession of pre-arrest bail to the petitioner.

9. Consequently, present petition is allowed; interim order dated

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13.11.2024 is made absolute subject to the conditions as envisaged under Section 482(2) of BNSS.

10. It is also made clear that petitioner shall fully co-operate with the Investigating Officer as and when called for further investigation.

11. The above observations be not construed as an expression of opinion on merits of the case; rather confined only to decide the bail matter.

12. It is also clarified that in case of any recurrence on the part of petitioner, State would be at liberty to move an appropriate application for recalling of this order.

Pending application(s), if any, shall also stand disposed off.

23.01.2025

Rajeev (rvs)

**(MAHABIR SINGH SINDHU)
JUDGE**

Whether speaking/reasoned Yes

Whether reportable No