



201 IN THE HIGH COURT OF PUNJAB AND HARYANA
CHANDIGARH

CRM-M-47144-2024 (O&M)
Date of Decision: 21.11.2024

CHIRAG VERMA @ BOBBY

...Petitioner

V/S

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Naveen Sharma, Advocate
for the petitioner.

Mr. Sandeep Kumar, DAG Punjab.

HARPREET SINGH BRAR J. (Oral)

1. The instant petition is preferred under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') seeking anticipatory bail in FIR No.156 dated 03.08.2024 under Sections 137(2) & 96 of Bharatiya Nyaya Sanhita, 2023 (earlier Sections 363 & 366-A of IPC), registered at Police Station Sadar Ludhiana, District Ludhiana.

2. On 20.09.2024, following order was passed:

"The instant petition is preferred under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') seeking anticipatory bail in FIR No.156 dated 03.08.2024 under Sections 137(2) & 96 of Bharatiya Nyaya Sanhita, 2023 (earlier Sections 363 & 366-A of IPC), registered at Police Station Sadar Ludhiana, District Ludhiana.

Learned counsel for the petitioner, inter alia, contends that the petitioner is less than 18 years of age and daughter of the complainant is also of the same age and both of them fell in love with each other and eloped and thereafter, they were recovered. Even in her statement recorded under Section 183 of BNSS (earlier Section 164 of



the Code of Criminal Procedure, 1973) by the jurisdictional Magistrate, she has not levelled any allegation of sexual assault against the petitioner.

Notice of motion for 21.10.2024.

Keeping in view the ratio of law enunciated by the Hon'ble Supreme Court in Arnesh Kumar Vs. State of Bihar, (2014) 8 SCC 273, Arnab Manoranjan Goswami Vs. State of Maharashtra, (2021) 2 SCC 427, Satender Kumar Antil Vs. CBI, (2022) 10 SCC 51, Siddharam Satlingappa Mhetre Vs. State of Maharashtra and ors., 2010 SCC OnLine SC 1375 and Shri Gurbaksh Singh Sibbia Vs. State of Punjab, (1980) 2 SCC 565, 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 shall be admitted to interim bail on furnishing bail/surety bonds to the satisfaction of investigating/arresting officer and the petitioner shall co-operate in the investigation.

If the arresting officer does not permit the petitioner to join the investigation, the petitioner would appear before the 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 the trial Court shall decide the same on its own merits, strictly in accordance with law."

3. Vide order dated 21.10.2024, petitioner was again directed to join the investigation.

4. Learned State counsel on instructions from ASI Naveen Kumar, submits that in compliance of order dated 20.09.2024 passed by this Court, the petitioner has joined the investigation and is not required for further custodial interrogation.

5. Keeping in view the statement made by learned State Counsel the order dated 20.09.2024, is made absolute. The petitioner shall abide by the terms

and conditions enumerated in Section 438(2) of Cr.P.C.

6. The petition is accordingly disposed of.

21.11.2024

Ajay Goswami

(HARPREET SINGH BRAR)

JUDGE

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