



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

204

**CRM-M No.48924 of 2024
Date of decision : 4.11.2024**

**Gurmeet Singh Romana @ Gurmeet SinghPetitioner
Versus**

State of PunjabRespondent

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present: Mr. G.S. Kaura, Advocate, for the petitioner

Mr. Anup Singh, AAG, Punjab

Mr. G.S. Jagpal, Advocate, for the complainant

SUMEET GOEL, J. (ORAL)

1. Present petition has been filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') for grant of
anticipatory bail to the petitioner in case FIR No.204 dated 6.9.2024,
under Sections 376 and 506 of IPC, registered at Police Station Mataur,
District SAS Nagar (Mohali).

2. On 16.10.2024, the following order was passed:-

*Learned counsel for the petitioner, inter alia, contends that the perusal of
the FIR as also copies of birth certificates of children (Annexures P-4 and
P-5), passport copies of the petitioner and the complainant (Annexures P-
6 and P-7), passport copies of the children (Annexures P-8 and P-9), copy
of the case filed under the Guardians & Wards Act (Annexure P-10)
clearly reflect that the petitioner and the victim were in a long term
relationship; the FIR in question is outcome of falling out of such
relationship & the petitioner is willing to join investigation and cooperate*



therein.

At this stage, it has been argued by learned counsel for the complainant that there are specific clear allegations against the petitioner which are serious in nature & hence he ought not to be granted the concession of interim pre arrest bail.

It has been further iterated by the learned counsel for the complainant that the petitioner has been repeatedly harassing the complainant and hence she apprehends harm at his instance in case he is extended the concession of interim pre arrest bail. In order to buttress his arguments, learned counsel for the complainant has submitted that various G.D. (General Diary) entries have been made against the petitioner at the instance of the complainant.

Adjourned to 04.11.2024.

The petitioner is directed to appear before the Investigating Officer on 19.10.2024 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 his 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. He shall abide by the condition(s) enumerated under Section 482(2) of Bharatiya Nagarik Suraksha Sanhita, 2023.'

3. Learned State counsel (on instructions from ASI Davinder Singh) submits that pursuant to the order dated 16.10.2024, the petitioner has joined investigation and is not required for custodial interrogation.

4. Learned counsel for the complainant has vehemently opposed the grant of anticipatory bail by arguing that the allegations levelled against the petitioner are serious in nature and hence, the petitioner ought not to be extended the concession of anticipatory bail. It is further iterated by learned counsel for the complainant that if the petitioner is released on anticipatory bail then there are all the chances that he may threatened the complainant and influenced the investigation/witnesses.



5. Keeping in view the entirety of the facts and circumstances of the case, especially the factum of the petitioner having been joined investigation and not being required for custodial interrogation by the State, the interim order dated 16.10.2024, is made absolute, subject to the conditions as enumerated under Section 482(2) of BNSS.
6. This order should not be treated as “blanket” order. It will not be read granting 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.
7. Liberty is reserved in favour of State/complainant to move for cancellation/recall of this order in case the petitioner violates any condition stipulated under Section 482(2) of BNSS or upon showing any other sufficient cause.
8. Needless to say that anything observed herein above shall not be construed to be an opinion on the merits of the case.

(SUMEET GOEL)
JUDGE

4.11.2024
Ashwani

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