



Sr. No.103

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

CRM-M-52717-2024 (O&M)

Date of decision: 23nd October 2024

DHANRAJ BANSAL

.....Petitioner

versus

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Mr. Ranjit S. Bajaj, Advocate and
Ms. Navneet Kaur, Advocate
for the petitioner.

HARPREET KAUR JEEWAN, J. (ORAL)

1. The instant petition has been filed under Section 482 of the Bharatiya
Nagarik Suraksha Sanhita, 2023 for grant of anticipatory bail to the petitioner in
case FIR No.80 dated 18.07.2023, under Section 498-A IPC, 1860, registered at
Police Station Women Cell, District Jalandhar (Annexure P-1).

2. Learned counsel for the petitioner *inter alia* contends that after the
registration of the FIR, the petitioner was granted the concession of anticipatory
bail vide order dated 27.07.2023, passed by the learned Additional Sessions Judge,
Jalandhar (Annexure P-2). It is further contended that the petitioner has fully
cooperated during the investigation. However, challan was presented in his absence
on 16.10.2023. One of the notice issued by the trial Court after the presentation of
the challan was received by the old-aged mother of the petitioner but she forgot to
inform about the same to the petitioner.

2.1 It is further contended that after the issuance of non-bailable warrants
by the trial Court, the petitioner made an inquiry and he came to know that challan



has been presented against him in his absence. It is further contended that the petitioner is ready to appear before the trial Court and face the trial.

3. Notice of motion.
4. Ms. Himani Arora, AAG, Punjab, accepts notice on behalf of respondent-State of Punjab and upon instructions from ASI Rajesh Kumar, she has confirmed that the petitioner has cooperated during the investigation before the order dated 27.07.2023 (Annexure P-2) was passed by the Additional Sessions Judge, Jalandhar. However, he did not put in appearance after the challan was presented. This fact has also been confirmed that the challan was presented in the absence of the petitioner.
5. Keeping in view the aforesaid facts and circumstances and without commenting upon the merits of the case and the question of maintainability of the second petition filed under Section 482 BNSS for grant of anticipatory bail to the petitioner, the present petition is disposed of with the direction to the petitioner to surrender before the trial Court within a period of 10 days and file an application for regular bail before the trial Court.
6. The trial Court shall decide the bail application of the petitioner on the same day. However, in the meantime, no coercive action shall be taken against the petitioner.
7. Disposed of accordingly.
8. Pending miscellaneous applications, if any, shall stand disposed of.

(HARPREET KAUR JEEWAN)
JUDGE

23nd October 2024
simran

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No