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CRM-M-57801-2024 (O&M)

210

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-57801-2024 (O&M)

Date of Decision: 16.12.2024

GAURAV GUPTA

.. Petitioner

Vs.

STATE OF HARYANA

..Respondent

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present: Mr. Diwan S. Adlakha, Advocate for the petitioner.

Ms. Priyanka Sadar, AAG, Haryana.

...

SUMEET GOEL, J. (Oral)

1. This petition has been filed under Section 482 BNSS, 2023 for grant of anticipatory bail to the petitioner in FIR No.411 dated 08.07.2024 registered for offences punishable under Sections 69, 115, 351(3) of BNS, 2023 at Police Station Samalkha, District Panipat.

2. On 20.11.2024, the following order was passed:-

“Apprehending his arrest in FIR No. 411 dated 08.07.2024 registered for offences punishable under Sections 69, 115, 351(3) of BNS, 2023 at Police Station Samalkha, District Panipat; the petitioner has preferred this petition under Section 482 of BNSS seeking pre-arrest bail.

Inter alia that there was consensual friendship/relationship between the petitioner and the victim which turned sour later on, the FIR in question is the result of such relationship turning sour, the victim is a 28 year old lady who is married and has a child and hence it cannot be said that she is a gullible victim & the petitioner is willing to join investigation and cooperate therein.

Notice of motion.

On asking of the Court, Ms. Mahima Yashpal, DAG, Haryana appears and accepts notice on behalf of the respondent-State.

Adjourned to 16.12.2024.

The petitioner is directed to appear before the Investigating Officer on 25.11.2024 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



CRM-M-57801-2024 (O&M)

the condition(s) enumerated under Section 482(2) of BNSS, 2023.”

3. Learned State counsel, on instructions from ASI Vimla, has stated that pursuant to the order dated 20.11.2024, the petitioner has joined investigation and is no longer required for custodial interrogation.
4. In view of above, the petition is allowed and interim order dated 20.11.2024 passed by this Court is made absolute, subject to the conditions as enumerated under Section 482(2) BNSS, 2023.
5. This order should not be treated as “blanket” order. It will not be interpreted as 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.
6. 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) BNSS, 2023 or upon showing any other sufficient cause.
7. Needless to say that anything observed herein above shall not be construed to be an opinion on the merits of the case.
8. Pending applications, if any, shall also stand disposed off.

16.12.2024
Jasmine Kaur

(SUMEET GOEL)
JUDGE

Whether speaking/reasoned	Yes	No
Whether reportable	Yes	No