

2025:PHHC:056006



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

Sr. No.214

CRM-M-6936-2025 (O&M)
Date of decision : 30.04.2025

Gurjeet Singh

..... Petitioner

VERSUS

State of Punjab

..... Respondent

CORAM: HON'BLE MS. JUSTICE KIRTI SINGH

Present: Ms. Meena, Advocate for
Mr. Amit Arora, Advocate, for the petitioner.

Mr. Randhir Singh Thind, DAG, Punjab.

KIRTI SINGH, J. (Oral)

1. Prayer in the present petition filed under Section 482 of Bhartiya Nagarik Suraksha Sanhita, 2023 (BNSS, 2023) is for grant of anticipatory bail to the petitioner, in case FIR No.302 dated 24.08.2024, under Sections 376 & 506 IPC, registered at Police Station Goindwal Sahib, District Tarn Taran.

2. Vide order dated 27.03.2025, the petitioner was directed to join investigation and the same is reproduced below:-

“Apprehending arrest in FIR No.302 dated 24.08.2024, under Sections 376 & 506 IPC, registered at Police Station Goindwal Sahib, District Tarn Taran, the petitioner has preferred this petition under Section 482 BNSS, 2023 for grant of pre-arrest bail.

Learned counsel for the petitioner submits that it is an admitted fact by the prosecutix that she was in a consensual live-in-relationship with the present petitioner since 2019.

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*However, the petitioner has been falsely implicated in the present FIR on the allegations of making physical relations on the false pretext of marriage. Learned counsel places reliance on the dictum of law as expatiated by the Hon'ble Supreme Court in **Pramod Suryabhan Pawar Vs. The State of Maharashtra and another 2019 (4) RCR (CrL) 135** to contend that in order to bring home the charge of rape on the false pretext of marriage, there must be adequate evidence to show that at the relevant time i.e. at the initial stage itself, the accused had no intention whatsoever of keeping his promise to marry the victim, which is not so in the present case.*

In the meantime, petitioner shall join investigation before the investigating agency/officer. In the event of arrest, the petitioner shall be released on interim bail subject to the satisfaction of the arresting officer/investigating officer. He shall abide by the following conditions as envisaged under Section 482(2) BNSS:-

- 1) That the petitioner shall make himself 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 case so as to dissuade him from disclosing such facts to Court or to any police officer.*
- 3) That the petitioner shall not leave India without prior permission of the Court.*

Adjourned to 30.04.2025.

Interim order to continue till the next date of hearing."

3. Learned State counsel on instructions from ASI-Gurpal Singh submits that in compliance of order dated 27.03.2025, the petitioner has joined the investigation and is not required for any further investigation.

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4. Having considered the aforesaid facts and circumstances, the petition is allowed. Order dated 27.03.2025 passed by this Court, is hereby made absolute.
5. This order should not be treated as "blanket" order. It will not be read granting the petitioner(s) 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. This order does not in any manner limit or restrict the rights or duties of the police or investigating agency to investigate into the charges against the petitioner(s).
7. The accused-petitioner(s) shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him or her from disclosing such facts to the Court or to any police officer.
8. The accused-petitioner(s) shall not leave India without prior permission of the Court.
9. The accused-petitioner(s) shall join the investigation as and when called by the police.
10. It will be open to the police or the investigating agency to move to this Court for a direction under Section 483(3) of BNSS, 2023 (erstwhile Section 439(2) of Cr.P.C.) to arrest the accused-petitioner(s), in the event of violation of any term, such as absconding, non-cooperating during investigation, evasion, intimidation or inducement to witnesses with a view to influence outcome of the investigation or trial.

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Pending miscellaneous application(s), if any, also stands disposed of.

(KIRTI SINGH)
JUDGE

30.04.2025
Ramandeep Singh

Whether speaking / reasoned	Yes/No
Whether Reportable	Yes/No