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

CRM-M-8924-2025

Date of decision: 18.03.2025

Charanjit Singh

....Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Gaurav Vir Singh Behl, Advocate
for the applicant/petitioner.

Mr. Sandeep Kumar, DAG, Punjab.

HARPREET SINGH BRAR, J. (ORAL)

The present petition has been filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking anticipatory bail to the petitioner in case bearing FIR No.103 dated 16.08.2024 under Sections 318(2)/318(4)/61(2) of BNS (earlier Sections 417/420/120-B of IPC) registered at Police Station City Patti, District Tarn Taran (Annexure P-3).

On 17.02.2025, the following order was passed:-

'The present petition has been filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking anticipatory bail to the petitioner in case bearing FIR No.103 dated 16.08.2024 under Sections 318(2)/318(4)/61(2) of BNS (earlier Sections 417/420/120-B of IPC) registered at Police Station City Patti, District Tarn Taran (Annexure P-3).

Learned counsel for the petitioner inter alia contends that as per the case set up by the prosecution, the main accused is Ravinder Kaur who has suppressed her first and second marriage and earlier also, on the same cause of action, FIR No.131 dated 13.08.2019 was registered in which cancellation report has been prepared by the Investigating Agency. As such, the petitioner has been falsely implicated in the present case without there being any justifiable cause. Moreover, the maximum sentence under which the FIR was lodged is punishable upto 03 years and no notice under Section 35 of BNSS (earlier Section 41-A of Cr.P.C.) has been served upon the petitioner.

Notice of motion.

On the asking of the Court, Mr. Subhash Godara, Addl.A.G., Punjab, who is present in Court, accepts notice on behalf of the



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respondent-State and at this stage, Mr. Sukhbir Maandi, Advocate puts in appearance and accepts notice on behalf of the complainant and files his vakalatnama in the Court today which is taken on record. He opposes the prayer made by counsel for the petitioner on the ground that the petitioner has cheated the complainant and the factum of the marriage of co-accused, namely, Ravinder Kaur, has not been disclosed.

*In the meantime, keeping in view the law enunciated by the Hon'ble Supreme Court in **Satender Kumar Antil Vs. CBI (2022) 10 SCC 51; Arnesh Kumar Vs. State of Bihar (2014) 8 SCC 273 and Mohd. Muslim alias Hussain Vs. State (NCT of Delhi) 2023 SCC OnLine SC 352**, at the first instance, the petitioner is directed to appear before the Investigating Officer within two weeks from today and on his doing so or in the event of arrest, the petitioner shall be admitted to interim bail on furnishing of bail/surety bond to the satisfaction of the Investigating/Arresting Officer. The petitioner shall cooperate with the Investigating/Arresting Officer and abide by the conditions as provided under Section 482 (2) of BNSS (earlier Section 438 (2) Cr.P.C.).*

If the Investigating/Arresting Officer does not permit the petitioner to join the investigation, the petitioner would appear before the Illaqa Magistrate, who would then summon the Investigating/Arresting Officer and direct him to join the petitioner in investigation, in terms of the order of this Court.

Adjourned to 18.03.2025.

Nothing observed hereinabove shall be construed as expression of opinion of this Court on merits of the case and the trial Court shall proceed without being prejudiced by observations of this Court. '

Learned State counsel on instructions from ASI Dilbagh Singh, at the very outset informs the Court that the petitioner has joined the investigation and his custodial interrogation is not required.

In view of the statement of learned State counsel, order dated 17.02.2025 is hereby made absolute. The petitioner shall abide by the terms and conditions envisaged under Section 482(2) of BNSS (earlier Section 438(2) Cr.P.C.).

The petition stands disposed of.

(HARPREET SINGH BRAR)
JUDGE

18.03.2025

Neha

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