

2025:PHHC:047481



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

Sr. No.215

CRM-M-8272-2025 (O&M)

Date of decision : 7.4.2025

Gurvinder Singh

..... Petitioner

VERSUS

State of Punjab and another

..... Respondents

CORAM: HON'BLE MS. JUSTICE KIRTI SINGH

Present: Mr. Kamal Narula, Advocate, for the petitioner.

Mr. Randhir Singh Thind, DAG, Punjab.

KIRTI SINGH, J. (Oral)

1. Apprehending arrest the petitioner has filed this petition under Section 482 of BNSS for grant of anticipatory bail in case bearing FIR No.76 dated 18.12.2024 under Sections 137(2), 96 and 61(2) of BNS, registered at Police Station Kabirpur Ahalikalan, District Kapurthala, Punjab.

2. Vide order dated 24.02.2025, the arrest of the petitioner was stayed, which reads as under:-

'Apprehending arrest the petitioner has filed this petition under Section 482 of BNSS for grant of anticipatory bail in case bearing FIR No.76 dated 18.12.2024 under Sections 137(2), 96 and 61(2) of BNS, registered at Police Station Kabirpur Ahalikalan, District Kapurthala, Punjab.

2. *Learned counsel for the petitioner, inter alia, submits that the petitioner has been falsely implicated in this case. The petitioner has solemnized marriage with the daughter of the complainant on 30.12.2024 and both are living together happily as husband and wife. He has placed reliance upon the marriage certificate of the said date i.e. 30.12.2024 (Annexure P-4).*

3. *Notice of motion.*

4. *Mr. Davinder Bir Singh, Senior DAG, Punjab waives service of notice on behalf of the respondent-State and seeks time to file response.*

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5. *List on 04.03.2025.*

6. *Statement of the daughter of the complainant under Section 183 of BNS be recorded before the concerned Magistrate and the same shall be placed on record on or before the next date of hearing.*

7. *In the meanwhile, the arrest of the petitioner shall remain stayed till the next date of hearing.'*

3. Thereafter, vide order dated 21.03.2025, the petitioner was directed to joint investigation, which is reproduced below:-

'In pursuance to order dated 04.03.2025 passed by this Court, the Sub Divisional Judicial Magistrate, Sultanpur Lodhi has sent the statement of the prosecutrix, which is taken on record as Annexure A1. In the said statement, it is stated that she is residing with the petitioner on her free will.

Adjourned to 07.04.2025.

Interim order to continue.

Meantime, the petitioner shall join investigation before the Investigating Agency/Officer. He shall abide by the following conditions as envisaged under Section 482(2) BNSS, 2023;-

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.'*

4. Learned State counsel on instructions from ASI-Babita submits that in compliance of order dated 21.03.2025, the petitioner has joined the investigation and is not required for any further investigation.

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5. Having considered the aforesaid facts and circumstances, the petition is allowed. Order dated 21.03.2025 passed by this Court, is hereby made absolute.
6. 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.
7. 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).
8. 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.
9. The accused-petitioner(s) shall not leave India without prior permission of the Court.
10. The accused-petitioner(s) shall join the investigation as and when called by the police.
11. 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.

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

(KIRTI SINGH)
JUDGE

7.4.2025
Ramandeep Singh

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