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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-11806-2025 (O&M)
Date of decision: 20.11.2025

KAMAL KISHORE

...PETITIONER

VERSUS

STATE OF PUNJAB AND ANOTHER

...RESPONDENTS

CORAM: HON'BLE MS. JUSTICE SHALINI SINGH NAGPAL

Present: Mr. Vipin Mahajan, Sr. Advocate with
Ms. Gaganbir Kaur Kahlon, Advocate
for the petitioner.

Mr. Hardeep Singh Wadhwa, DAG Punjab.

Mr. Rajiv Joshi, Advocate
for respondent No.2.

SHALINI SINGH NAGPAL J.

CRM-34543-2025

Application moved under Section 528 of Bharatiya Nagrik
Suraksha Sanhita, 2023 for placing on record affidavit of the petitioner in
compliance of order dated 02.05.2025.

Allowed.

Affidavit is taken on record, subject to all just exceptions.

CRM-37811-2025

Application moved under Section 528 of Bharatiya Nagrik
Suraksha Sanhita, 2023 to place on record counter affidavit of respondent
No.2.

Allowed.

Affidavit is taken on record, subject to all just exceptions.

CRM-M-11806-2025

1. Petitioner seeks anticipatory bail in FIR No.08 dated 01.02.2025 under Sections 406 and 498-A of Indian Penal Code, Police Station Women Cell, Jalandhar, Punjab. This is his first petition for anticipatory bail.

2. Vide order dated 03.03.2025 passed by this Court, the petitioner was granted interim bail and was directed to join investigation. Learned State counsel, on instructions from Investigating Officer ASI Sheesh Pal Singh, submits that petitioner has joined investigation. He opposes the prayer for anticipatory bail on the ground that entire gold articles have not been recovered.

3. In terms of order dated 02.05.2025, affidavit has been placed on record by petitioner swearing therein that he had joined investigation and handed over one pendent set, two gents rings and 2 ladies earrings to the Investigating Officer. Another affidavit has been placed on record by respondent No.2 on the lines that gold articles and ornaments were still in possession of the petitioner and had not been returned.

4. Anticipatory bail cannot be declined only for the reason that some articles are yet to be recovered. The controversy regarding the entrustment of gold articles to the petitioner is not to be determined at this stage. Considering all relevant facts and circumstances, but without expressing any opinion on merits of the case, since petitioner has joined investigation, the petition is allowed and order dated 03.03.2025, granting interim bail to petitioner, is made absolute, subject to the conditions laid down in Section 482(2) of Bharatiya Nagrik Suraksha Sanhita (BNSS), 2023.

5. Pending miscellaneous applications, if any, stand disposed of.

20.11.2025
Sumit Singla

(SHALINI SINGH NAGPAL)
JUDGE

Whether speaking/reasoned
Whether reportable

:
:

Yes/No
Yes/No