



CRM-M-13427-2025

1

218

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-13427-2025

Date of Decision: 08.04.2025

Daksh Kumar

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MS. JUSTICE KIRTI SINGHPresent:- Mr. Amit Choudhary, Advocate
for the petitioner

Mr. Anmol Malik, DAG Haryana

KIRTI SINGH, J.(Oral)

Prayer in the present petition filed under Section 482 of BNSS is for grant of anticipatory bail in case bearing FIR No.350 dated 30.07.2024, under Section 69 of BNS and Section 6 of POCSO Act, registered at Police Station City Fatehabad, District Fatehabad.

2. This Court, while issuing notice of motion, passed the following order on 12.03.2025:-

“Apprehending arrest the petitioner has filed this petition under Section 482 of BNSS for grant of anticipatory bail in case bearing FIR No.350 dated 30.07.2024, under Section 69 of BNS and Section 6 of POCSO Act, registered at Police Station City Fatehabad, District Fatehabad.

2. Learned counsel for the petitioner, inter alia, submits that the petitioner and the complainant were in a consensual relationship. The complainant had even stayed for a period of 18 days i.e. from 12.06.2024 to 03.07.2024 in the house of the petitioner and thereafter she went to Dhakoli for making preparations of their



marriage, which was fixed for 12.07.2024, as is evident from the wedding invite annexed as Annexure P-3. However, it has been alleged that on 05.07.2024, the petitioner refused to marry the complainant and thereafter, the present FIR was registered. He further submits that the petitioner and the complainant are in consensual relationship even now and the petitioner is willing to marry the complainant.

3. Notice of motion.

4. Ms. Mahima Yashpal, DAG, Haryana, waives service of notice on behalf of the respondent-State and seeks time to file reply.

5. List on 08.04.2025.

6. In the meantime, arrest of the petitioner shall remain stayed and he shall join investigation before the Investigating Agency/Officer and shall also 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.

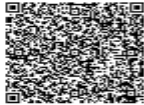
2) That the petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer.

3) That the petitioner shall not leave India without prior permission of the Court. ”

3. Learned State counsel on instructions from ASI Raj Bala submits that the petitioner has joined the investigation and is not required for any further investigation.

4. Having considered the aforesaid facts and circumstances, the petition is allowed. Order dated 12.03.2025 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 indefinite protection from arrest. It shall be confined to the



CRM-M-13427-2025

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.
7. The accused/petitioner 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 shall not leave India without prior permission of the Court.
9. The accused/petitioner 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) BNSS (erstwhile Section 439(2) of the Code of Criminal Procedure, 1973) to arrest the accused, 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.
11. Pending application(s), if any, also stands disposed of accordingly.

08.04.2025
reena

Whether speaking/reasoned
Whether reportable

(KIRTI SINGH)
JUDGE

Yes/No
Yes/No