



CRM-M-13634-2025
Date of decision: 28.04.2025

Versus

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Mr. Sumit Saddi, Advocate for the complainant.

SANJIV BERRY, J. (ORAL)

By way of present petition filed under Section 482 of BNSS, 2023, petitioner seeks anticipatory bail in case FIR as under:

FIR No.	Dated	Sections	Police Station
76	13.09.2024	406, 420, 506, 120-B of IPC	Sector-49, District Chandigarh.

2. Learned counsel for the petitioner submits that in compliance to the order dated 26.03.2025 passed by this Court, the petitioner has already joined the investigation and as such prayed for confirming the interim bail granted vide order dated 26.03.2025.

3. Learned State counsel, on instructions from ASI Rampal, intimates the Court that the petitioner has joined investigation and is neither required for further investigation nor for any custodial interrogation.



CRM-M-13634-2025

2

4. Learned counsel for the complainant opposed the submissions made by counsel for the petitioner and prayed for the dismissal of the petition.

5. During the course of hearing on 26.03.2025, following order was passed:

“ 2. It is, inter alia, contended by learned counsel for the petitioner that the petitioner is innocent and has been falsely implicated in this case. Neither the petitioner is working as travel agent nor has he taken any amount from the complainant as has been alleged. He contends that the petitioner has been falsely implicated and named in the instant FIR by the complainant being the family friend of Gurpreet Kaur with whom the marriage of the son of complainant took place. He contends that on account of marital discord, the petitioner has been harassed by filing the present petition. In fact, the son of the complainant had managed to take his wife Gurpreet Kaur abroad without any concern of the petitioner. He contends that even in the FIR, it has wrongly been claimed by the complainant that said Gurpreet Kaur had not joined the company of her husband which is manifestly wrong and falsified.

3. From the perusal of the record placed on file pertaining to the police department of Virginia, wherein the complaint alleged by Gurpreet Kaur regarding assault by her husband i.e. son of the complainant was investigated and there is specific reference therein regarding the police assisting Gurpreet Kaur to take her belongings from the matrimonial house in the presence of the son of complainant who was also arrested in the matter therein. He contends that the petitioner is not having any criminal antecedents and is ready to join the investigation. Hence, the present petition.



CRM-M-13634-2025

3

4. *Per contra*, learned Public Prosecutor for the U.T. , Chandigarh, by learned counsel for the complainant has assailed the arguments by referring to the reply filed by the State to contend that the petitioner had been working as travel agent and on the continuous pressure asserted by the co-accused, the complainant had to pay Rs.45 lakh to him for the purpose of sending his daughter-in-law i.e. Gurpreet Kaur to USA in a hasty manner. They further submit that in the photographs (Annexure R-1) the son of petitioner is seen taking the amount from the complainant and the custodial interrogation of the petitioner is required.

5. After considering the rival contentions and perusing the record, it transpires that as per the allegations, the co-accused had forced the complainant to pay the amount to the petitioner and there is no allegation of duping against the petitioner. Therefore, in these circumstances, it is deemed appropriate that the petitioner should join the investigation first before deciding the petition on merits. As a consequent, the petitioner is hereby directed to join investigation within seven days from today and in the event of his arrest, he is ordered to be released on interim bail on his furnishing personal/surety bonds to the satisfaction of the Arresting Officer/Investigating Officer. He shall also abide by conditions as envisaged under Section 482 (2) of BNSS, 2023.

6. Investigating Officer of the case to remain present along with record on the next date of hearing.

7. List on 28.04.2025.”

6. Keeping in view the above submissions made by learned State counsel and the fact that the petitioner had joined the investigation consequent to the order dated 26.03.2025 passed by this Court, interim bail granted vide order dated 26.03.2025 is hereby confirmed, subject to

**CRM-M-13634-2025****4**

conditions as envisaged under Section 482 (2) of BNSS, 2023. Further the petitioner is directed to join investigation as and when required in future by way of written notice for such purpose to be served by Investigating Officer of this case upon the petitioner; he will not tamper with the evidence nor will influence the witnesses and will not leave the country without prior permission of the Court.

7. The petition stands allowed.

8. It is made clear that anything contained hereinabove shall not be construed to be an expression of opinion on the merits of the case.

(SANJIV BERRY)
JUDGE

28.04.2025

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i)	Whether speaking/reasoned?	Yes/No
ii)	Whether reportable?	Yes/No