



CRM-M-14024-2025

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-14024-2025

Date of Decision: 08.04.2025

Mahesh Kumar

...Petitioner

Versus

State of Punjab

...Respondent

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

Mr. R.S. Thind, DAG Punjab

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.28 dated 08.02.2025, under Section 85 of BNS, registered at Police Station City, Rupnagar.

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.28 dated 08.02.2025, under Section 85 of BNS, registered at Police Station City, Rupnagar.

2. Learned counsel for the petitioner, inter alia, submits that the marriage between the petitioner and the complainant was solemnized on 30.09.2019. The allegations levelled against the petitioner are false, baseless and general in nature. He further states that no demand for dowry was raised. Even the car mentioned in the complaint was never demanded by the petitioner or his family



members rather the same was given as a gift to the complainant-wife. In support of his contentions, learned counsel for the petitioner has placed reliance upon the decision of Hon'ble Supreme Court in "Rajesh Sharma and other vs. State of UP and another", 2017(3) RCR (Criminal) 836.

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 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 Narinder Pal 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



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

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Whether speaking/reasoned
Whether reportable

(KIRTI SINGH)
JUDGE

Yes/No
Yes/No