

2025:PHHC:063038



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

Sr. No.209

**CRM-M-14809-2025 (O&M)
Date of decision : 13.05.2025**

Tajinder Kumar @ Prince and another

..... Petitioners

VERSUS

State of Punjab

..... Respondent

CORAM: HON'BLE MS. JUSTICE KIRTI SINGH

Present: Mr. Nippun Sharma, Advocate, for the petitioners.

Ms. Aakanksha Gupta, AAG, Punjab.

KIRTI SINGH, J. (Oral)

1. Prayer in the present petition filed under Section 482 of Bhartiya Nagarik Suraksha Sanhita, 2023 (BNSS, 2023) is for grant of anticipatory bail to the petitioners, in case FIR No.44 dated 21.02.2025, under Sections 115(2), 324(4), 333, 74, 76, 3(5) & 351(2) of BNS, 2023, registered at Police Station Division No.8, Jalandhar.

2. Vide order dated 03.04.2025, the petitioners were directed to join investigation and the same is reproduced below:-

“Apprehending arrest the petitioners have filed this petition under Section Section 482 of BNSS, 2023 for grant of anticipatory bail in case FIR No.44 dated 21.02.2025 registered under Sections 115(2), 324(4), 333, 74, 76, 3(5), 351(2) of BNS at Police Station Division No. 8, Jalandhar.

Learned counsel for the petitioners inter alia submits that the petitioners have been falsely implicated in the case at hand for allegedly assaulting the prosecutrix as well as her family members. While drawing the attention of this Court to the FIR

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(Annexure P-1), learned counsel submits that their false implication in the case in hand finds credence from the fact that the ingredients of the offences, as alleged, are not even made out. It has been submitted that the other similarly placed co-accused have since been extended the concession of anticipatory bail by the learned Additional Sessions Judge, Jalandhar vide order dated 01.03.2025.

Adjourned to 13.05.2025.

In the meantime, the petitioners shall join investigation before the Investigating Agency/Officer. In the event of arrest, the petitioners shall be released on interim bail subject to the satisfaction of the Arresting Officer/Investigating Officer. They shall abide by the following conditions as envisaged under Section 482(2) BNSS:-

i. That the petitioners shall make themselves available for interrogation by a police officer as and when required to do so.

ii. That the petitioners 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 them from disclosing such facts to the court or to any police officer.

iii) That the petitioners shall not leave India without prior permission of the Court.”

3. Learned State counsel on instructions from ASI-Dharampal submits that in compliance of order dated 03.04.2025, the petitioners have joined the investigation and are not required for any further investigation.

4. Having considered the aforesaid facts and circumstances, the petition is allowed. Order dated 03.04.2025 passed by this Court, is hereby made absolute.

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5. 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.

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(s).

7. 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.

8. The accused-petitioner(s) shall not leave India without prior permission of the Court.

9. The accused-petitioner(s) 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) 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

13.05.2025

Ramandeep Singh

Whether speaking / reasoned
Whether Reportable

Yes/No
Yes/No