



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

(209)

CRM-M-17344-2025

Date of Decision: 17.7.2025

Vipin Kumar Savita and another

.....Petitioners

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MS. JUSTICE KIRTI SINGH

Present: Mr. B.D.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 the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS'), is for grant of anticipatory bail to the petitioners, in case FIR No. 4 dated 7.1.2023 under Sections 363, 366, 328, 344, 120-B IPC read with Sections 5 and 6 of the POCSO Act read with Section 10 of Prohibition of Child Marriage Act, 2006, registered at Police Station Bhargo Camp, District Jalandhar.

2. Vide order dated 16.5.2025, the petitioners were directed to join investigation. The said order is reproduced hereinafter:-

“Apprehending arrest in FIR No.4 dated 07.01.2023, under Sections 363, 366, 328, 344 & 120-B IPC, Sections 5 & 6 of POCSO Act and Section 10 of Prohibition of Child Marriage Act, 2006, registered at Police Station Bhargo Camp, District Jalandhar, the petitioners have preferred this petition under Section 482 BNSS, 2023 for grant of pre-arrest bail.

Learned counsel for the petitioners inter alia submits that the petitioners have been falsely implicated in this case on the statement of the victim, being the real brother and sister of the main accused



in whose company the victim was allegedly last seen by a relative of the complainant. He further submits that firstly, the FIR was registered after an unexplained delay of seven days. Further, there is evidence on record that could prove the veracity of the allegations so leveled against the present petitioners.

Adjourned to 17.07.2025.

Meanwhile, the arrest of the petitioners shall remain stayed.

In the meantime, the petitioners shall join investigation before the Investigating Agency/Officer. They shall abide by the following conditions as envisaged under Section 482(2) BNSS, 2023;-

- 1) That the petitioners shall make themselves available for interrogation by a police officer as and when required to do so.*
- 2) That the petitioners shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts to the case so as to dissuade him from disclosing such facts to Court or to any police officer.*
- 3) That the petitioners shall not leave India without prior permission of the Court.*

Needless to mention that the investigating agency/officer shall continue with the investigation of the case in usual manner. ”

3. Learned State counsel on instructions from SI Sukhwant Singh submits that in compliance of order dated 16.5.2025, 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 16.5.2025 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(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.
11. Pending miscellaneous application(s), if any, also stands disposed of.

(KIRTI SINGH)
JUDGE

July 17, 2025
Gurpreet Singh

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No