

**CRM-M-17996-2025(O&M)****1****IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH****206****CRM-M-17996-2025(O&M)****Date of Decision: 27.05.2025**

Sukhwinder Singh @ Gori

...Petitioner(s)

Versus

State of Punjab

...Respondent(s)

CORAM: HON'BLE MS. JUSTICE KIRTI SINGHPresent:- Ms. Gaganpreet Kaur, Advocate for
Mr. H.S. Sidhu, Advocate for the petitioner.

Ms. Aakanksha Gupta, AAG, Punjab.

KIRTI SINGH, J. (Oral)

1. Apprehending arrest, the petitioner has filed this petition under Section 482 of BNSS for grant of anticipatory bail in case bearing FIR No.128 dated 30.06.2024, under Sections 363, 366-A IPC (Section 376 IPC and Section 4 of POCSO Act added later on), registered at Police Station Guruharsahai, District Ferozepur.

2. This Court on 01.05.2025 while issuing notice of motion, directed the petitioner to join investigation and passed the following order:-

“Apprehending arrest the petitioner has filed this petition under Section 482 of BNSS for grant of anticipatory bail in case bearing FIR No.128 dated 30.06.2024 under Sections 363, 366-A IPC (Section 376 IPC and Section 4 of POCSO Act added later on), registered at Police Station Guruharsahai, District Ferozepur.

Learned counsel for the petitioner *inter alia* submits that the petitioner has been falsely implicated in the present case on the statement of the father of the prosecutrix, alleging that the petitioner enticed away the prosecutrix on the false pretext of marriage. There is delay of three days in lodging the FIR. It is further submitted that the prosecutrix left her



parental house, since she refused to marry the person of her parents' choice and joined the company of the petitioner, whereafter the petitioner and the prosecutrix had filed a petition before this Court bearing CRWP-6912-2024, for protection of life and liberty, since they were in a live-in-relationship, which was disposed of on 30.07.2024.

Notice of motion.

Served with an advance copy of the petition, Ms. Aakanksha Gupta, AAG Punjab accepts notice on behalf of respondent No.1/State and seeks time to file status report.

Adjourned to 15.05.2025.

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, 2023:-

- i) That the petitioner shall make himself available for interrogation by a police officer as and when required to do so.
- ii) 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.
- iii) That the petitioner shall not leave India without prior permission of the Court.”

3. Learned State counsel on instructions from ASI Jaspal Chand- Investigating Officer(s), submits that in compliance of the aforesaid order, 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 01.05.2025 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) of 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.

27.05.2025
Kapil

(KIRTI SINGH)
JUDGE

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