



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

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CRM-M-19430-2025 (O&M)

Date of Decision: 05.05.2025

NAVAL PASWAN ALIAS NAVAL KUMAR

...Petitioner

Versus

STATE OF PUNJAB AND ANOTHER

...Respondents

CORAM: HON'BLE MS. JUSTICE KIRTI SINGH

Present:- Ms. Amandeep Kaur, Advocate and
Mr. Narinder S. Lucky, Advocate for the petitioner.

Mr. K.D.Sachdeva, DAG, Punjab.

KIRTI SINGH, J. (Oral)

1. Apprehending his arrest the petitioner has filed this petition under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of anticipatory bail in case bearing FIR No.20 dated 13.02.2019 under Sections 363 and 366-A IPC (Section 376 IPC and Section 6 of POCSO Act were added vide GD No.20 dated 02.03.2025) registered at Police Station Basti Bawa Khel, District Jalandhar.

2. This Court while issuing notice of motion on 29.04.2025 passed the following order:-

“Apprehending arrest in FIR No.20 dated 13.02.2019, under Sections 363 & 366-A IPC (Section 376 IPC and Section 6 of POCSO Act were added vide GD No.20 dated 02.03.2025), registered at Police Station Basti Bawa Khel, District Jalandhar, the petitioner has preferred this petition under Section 482 BNSS, 2023 for grant of pre-arrest bail.

Learned counsel for the petitioner inter alia submits that the petitioner has been falsely implicated the present FIR registered on the statement of the father of the prosecutrix. It is the case where the petitioner and the prosecutrix solemnized marriage and now, have been blessed with two children out of the wedlock. An affidavit qua the same has also been tendered by the prosecutrix, which is annexed at Annexure P3. Further, even the complainant has accepted the marital relation of the parties, as can be evinced from his affidavit dated 08.10.2024 annexed as Annexure P2.



Notice of motion.

At the asking of the Court, Mr. Davinder Bir Singh, Senior DAG, Punjab accepts notice on behalf of respondent No.1-State and seeks time to file reply.

Meanwhile, the arrest of the petitioner shall remain stayed.

In the meantime, the petitioner shall join investigation before the Investigating Agency/Officer. He shall 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.

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

Adjourned to 05.05.2025.”

3. Learned State counsel on instructions from ASI Tehel Singh submits that in compliance of order dated 29.04.2025, 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 29.04.2025 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.

Pending application(s), if any, also stands disposed of accordingly.

05.05.2025
Kavita Nain

(KIRTI SINGH)
JUDGE

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