



CRM-M-19588-2025

208

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-19588-2025

Date of Decision: 14.05.2025

Sandeep alias Monu

...Petitioner

Versus

State of Haryana and another

...Respondents

CORAM: HON'BLE MS. JUSTICE KIRTI SINGHPresent:- Mr. L.K. Yadav, Advocate
for the petitioner

Ms. Mahima Yashpal, DAG Haryana

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.51 dated 10.03.2025, under Sections 64(1) & 351(3) of BNS, 2023, registered at Police Station Kosli, Rewari.

2. Mr. Jagdeep Singh Rana, Advocate puts in appearance on behalf of the complainant and files his Vakalatnama in Court today, which is taken on record. Registry is directed to tag it at the appropriate place.

3. This Court, while issuing notice of motion, passed the following order on 08.04.2025:-

“Apprehending arrest, the petitioner has filed this petition under Section 482 of Bhartiya Nagarik Suraksha Sanhita, 2023 (BNSS, 2023) for grant of pre-arrest bail in case FIR No.51 dated 10.03.2025, under Sections 64(1) & 351(3) of BNS, 2023, registered at Police Station Kosli, Rewari.

Learned counsel for the petitioner inter alia submits that the



*petitioner has been falsely implicated in this case on the statement of the prosecutrix who even refused to get herself medically examined. He contends that infact, the petitioner and the prosecutrix, a married woman, were in a consensual relationship and it was after this fact came to the knowledge of her husband that the present FIR was got lodged by leveling false allegations against the petitioner. He places reliance upon the order dated 06.09.2022 passed by a Coordinate Bench of this Court, wherein under similar circumstances, the petitioner therein was granted the concession of anticipatory bail. Reference is also made to the order dated 21.08.2019 passed by the Hon'ble Supreme Court in **Criminal Appeal No.1165 of 2019 (@ SLP (Crl.) No.2712 of 2019) titled as Pramod Suryabhan Pawar Vs. The State of Maharashtra and another.***

Notice of motion.

Served with an advance copy of the petition, Ms. Mahima Yashpal, DAG, Haryana, accepts notice on behalf of respondent No.1 and prays for time to file reply.

Adjourned to 14.05.2025 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:-

- 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 to the case so as to dissuade him from disclosing such facts to Court or to any police officer.*
- 3) 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. ”



CRM-M-19588-2025

3

3. Learned State counsel on instructions from ASI Naresh 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 08.04.2025 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) 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,



CRM-M-19588-2025

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.

14.05.2025

reena

(KIRTI SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No