



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

207/1

CRM-M-19855-2025(O&M)

Date of Decision: 10.11.2025

SUKHDEV SINGH AND ANOTHER

...Petitioners

Versus

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MS. JUSTICE KIRTI SINGH

Present:- Ms. Amarjot Kaur, Advocate
for the petitioners.

Ms. Aakanksha Gupta, AAG Punjab.

KIRTI SINGH, J. (Oral)

1. Apprehending arrest the petitioners have filed this petition under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of anticipatory bail in case bearing FIR No.0013 dated 13.03.2025, under Sections 498-A and 406 IPC, registered at Police Station Kahnuwan, District Gurdaspur.

2. This Court on 13.10.2025 passed the following order:-

“Prayer in the present petition filed under Section 482 of BNSS, is for grant of anticipatory bail to the petitioners, in case FIR No.0013 dated 13.3.2025, under Sections 498-A and 406 IPC, registered at Police Station Kahnuwan, District Gurdaspur.

Status report by way of affidavit of Deputy Superintendent of Police, Rural, District Gurdaspur, has been filed by the State, which is taken on record. Copy thereof has been supplied to the learned counsel for the petitioner.

Learned counsel for the petitioners inter alia submits that the petitioners, who are the parents-in-law of the complainant, have been falsely implicated in the instant case due to a matrimonial dispute between their son and the complainant. It is further submitted that the petitioners neither harassed or humiliated respondent No. 2 for demand of dowry nor any specific allegations have been levelled against them.

Per contra learned State counsel as well as the learned counsel for the complainant oppose the present petition. They submit that since serious allegations have been levelled against the



petitioners, therefore, they are not entitled to the concession of anticipatory bail.

One of the main pillars of jurisprudence on which the criminal justice system is based, is the presumption of innocence until proven guilty. If seen in that context, the provision of anticipatory bail, in its essence, can be understood as a safeguard to prevent the curtailment of liberty of an individual, a cherished constitutional guarantee, in circumstances where arrest may be unwarranted, arbitrary, or mala fide. This discretionary power, trite to say, must be exercised judiciously, based on considerations, which include but are not limited to, the nature and gravity of the allegations, the antecedents of the accused, the possibility of the fleeing from justice, and the likelihood of the evidence being tampered with and witnesses being influenced.

Reverting to the case in hand, the genesis of the instant FIR lies in the matrimonial dispute. The petitioners are the parents-in-law of the complainant. The allegations of harassment of the complainant and demand of dowry have been levelled in the present case. All the contentions made qua the role of the petitioners are disputed questions of facts, veracity of which shall be determined during the course of trial.

In view of the above, the petitioners are directed to 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.*

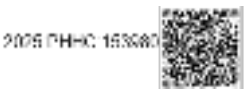
Needless to mention that the investigating agency/officer shall continue with the investigation of the case in usual manner.

Adjourned to 10.11.2025.

It is made clear that nothing contained hereinabove shall have any bearings on the merits of the case, lest it may prejudice the trial.”

3. Learned State counsel on instructions from ASI Ranbir Singh submits that in compliance of order dated 13.10.2025, 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 13.10.2025 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 petitioners 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 petitioners.
7.

The accused/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 him or her from disclosing such facts to the Court or to any police officer.
8.

The accused/petitioners shall not leave India without prior permission of the Court.
9.

The accused/petitioners 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.

10.11.2025
Kavita

(KIRTI SINGH)
JUDGE

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