



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

274

CRM-M-20873-2025 (O&M)
Date of Decision: 22.05.2025

BEER SINGH ALIAS VEER SINGH ALIAS BIR SINGH ALIAS
BEERU

...Petitioner

Versus

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MS. JUSTICE KIRTI SINGH

Present:- Mr. Karanjeet Singh Brar, Advocate
for the petitioner.

Mr. Luvinder Sofat, Sr. DAG, Punjab.

KIRTI SINGH, J. (Oral)

1. Apprehending 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.0218 dated 10.10.2020, under Sections 354 & 34 of IPC and Sections 7 & 8 of POCSO Act, 2019 registered at Police Station City Kotkapura, District Faridkot.

2. Learned counsel for the petitioner submits that in compliance of order dated 28.04.2025, the petitioner has surrendered before the trial Court on 19.05.2025 and has been released on bail. A copy of the order dated 19.05.2025 passed by the learned Additional Sessions Judge, Faridkot, has been produced in Court today and the same is taken on record as Annexure A-1.

3. This Court while issuing notice of motion on 28.04.2025 passed the following order:-

“Apprehending arrest the petitioner has filed this second petition under Section 482 of BNSS for grant of anticipatory bail in case bearing FIR No.0218 dated 10.10.2020, under Sections 354 and 34 IPC and Sections 7 and 8 of POCSO Act, registered at Police Station City Kotkapura, District Faridkot.



2. *Learned counsel for the petitioner, inter alia, submits that petitioner has been falsely implicated in the present FIR, which was registered after a delay of one month. Further, a perusal of the said FIR reveals that accused-Raju is the main accused against whome allegations of molestation have been levelled whereas the only allegations levelled against the petitioner that he broke open the door and thereafter went downstairs to take the clothes from the cupboard. It is further submitted that further investigation was ordered on presentation of the 1st cancellation report, whereafter, another cancellation report was forwarded by the SP(D) Faridkot, however, despite the same, cognizance was taken.*

3. *Notice of motion.*

4. *Mr. Randhir Singh Thind, DAG, Punjab, waives service of notice on behalf of the respondent-State and seeks time to file response.*

5. *List on 21.05.2025.*

6. *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:-*

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 of the case so as to dissuade him from disclosing such facts to the court or to any police officer.

3) That the petitioner shall not leave India without prior permission of the Court.

7. *It is made clear that in case petitioner surrender before the learned Trial Court, he shall be released admitted to bail subject to its satisfaction."*

4. Having considered the aforesaid facts and circumstances, and as per order dated 19.05.2025 passed by the learned Additional Sessions Judge, Faridkot, the petitioner has been released on bail in compliance of order dated 28.04.2025. The petition is allowed and order dated 28.04.2025 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.

22.05.2025

Kavita

Whether speaking/reasoned
Whether reportable

(KIRTI SINGH)
JUDGE

Yes/No
Yes/No