

**CRM-M-28202-2025(O&M)****1****IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH****208****CRM-M-28202-2025(O&M)****Date of Decision: 14.07.2025**

Saleem @ Mohd. Saleem

...Petitioner(s)

Versus

State of Punjab

...Respondent(s)

CORAM: HON'BLE MS. JUSTICE KIRTI SINGH

Present:- Ms. Abdul Aziz, 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.88 dated 18.10.2024, under Sections 126(2), 115(2), 191(3) and 190 of BNS and offence under Sections 74 and 304 of BNS added later on, registered at Police Station Sadar Ahmedgarh, District Malerkotla.
2. This Court on 22.05.2025 while issuing notice of motion, directed the petitioner to join investigation and passed the following order:-

“Apprehending arrest in FIR No.88 dated 18.10.2024, under Sections 126(2), 115(2), 191(3) & 190 of BNS and offence under Sections 74 & 304 of BNS added later on, registered at Police Station Sadar Ahmedgarh, District Malerkotla, 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 in the present case on the statement of the complainant. The petitioner and the complainant are residents of the same area and hence, known to each other. It is submitted that qua the alleged occurrence which took place on 17.10.2024, no specific role has been attributed to



the petitioner. The infliction of any injury has also not been attributed to him. The only link connecting the petitioner to that incident is his alleged presence on the spot. Further, even in the registration of the present FIR, there is an unexplained delay of about 26 hours.

Notice of motion.

Served with an advance copy of the petition, Ms. Guramrit Kaur, DAG, Punjab, accepts notice on behalf of the respondent-State and seeks time to file status report.

Adjourned to 14.07.2025.

Meanwhile, the arrest of the petitioner shall remain stayed. He 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.”

3. Learned State counsel on instructions from ASI Kulwinder Singh -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 22.05.2025 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.

14.07.2025
Kapil

(KIRTI SINGH)
JUDGE

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