



CRM-M-33117-2025

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

CRM-M-33117-2025

Date of decision: August 20, 2025

Gurcharan Singh

....Petitioner

versus

State of Punjab and another

....Respondents

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL**Present:** Mr. Saurav Bhatia, Advocate for the petitioner.

Mr. Jaypreet Singh, DAG Punjab.

Mr. Ashish Nagar, Advocate for respondent No.2/ complainant.

SUMEET GOEL, J. (ORAL)

1. Present petition has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') for grant of concession of anticipatory bail to the petitioner in case FIR No.48 dated 14.05.2025, under Section 318(4) of the BNS, 2023, registered at Police Station Rahon, District Shaheed Bhagat Singh Nagar.

2. Reiterating the submissions made on 23.06.2025, learned counsel for the petitioner has argued that the petitioner was merely advising the FIR/ complainant to go abroad and no culpability can be attached to his conduct for this purpose.

3. At this juncture, it would be apposite to note here that on 23.06.2025, the following order was passed:

“Inter alia, contends that even as per the FIR, an amount of Rs.70,000/- has been transferred by the complainant through Google Pay.



It is submitted that without admitting the guilt of the petitioner, and in order to show his bona-fide, the petitioner is ready to pay an amount of Rs.70,000/- to the complainant within a period of one month from today.

Notice of motion for 04.08.2025.

In the meantime, the petitioner is directed to appear before the SHO/Investigating Officer as and when called upon to join investigation and in the event of his arrest, he shall be released on interim bail on his furnishing bail bonds to the satisfaction of SHO/Investigating Agency, subject to the following conditions as envisaged under Section 482(2) of the BNSS:-

- i) that the petitioner shall make himself available for interrogation as and when required;*
- 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/her from disclosing such facts to the Court or to any police officer;*
- iii) that the petitioner shall not leave India without the prior permission of the Court.*

As undertaken before this Court, the petitioner would prepare a demand draft of Rs.70,000/- in the name of complainant Mamta Devi, within a period of one month from today and would present the same to the Investigating Officer, who shall further hand over the same to the complainant. It is made clear that in case, the demand draft of Rs.70,000/- is not given to the Investigating Officer prepared in the name of the said complainant within a period of one month from today, then the present interim relief granted in favour of the petitioner would be liable to be vacated.

The payment of the abovesaid amount of Rs.70,000/- would not be construed as an admission of guilt by the petitioner.”

4. Learned State counsel (on instructions) has submitted that pursuant to the order dated 23.06.2025, the petitioner has indeed joined investigation, and his custodial interrogation is not required.

5. Learned counsel for respondent No.2/ complainant has vehemently opposed the grant of anticipatory bail to the petitioner by arguing that allegations against the petitioner are serious in nature. Learned counsel has further iterated that the petitioner is a habitual offender.

6. Having heard learned counsel for the parties and upon perusal of the record, especially keeping in view the factum of the petitioner having joined investigation and his custodial interrogation not sought for by the State, the interim order dated 23.06.2025 is made absolute, subject to the conditions as enumerated under Section 482(2) of BNSS.



7. This order should not be treated as “blanket” order. It will not be read granting 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.
8. Liberty is reserved in favour of State/complainant to move for cancellation/recall of this order in case the petitioner violates any condition stipulated under Section 482(2) of BNSS or upon showing any other sufficient cause.
9. Needless to say that anything observed herein above shall not be construed to be an opinion on the merits of the case.
10. Pending application(s), if any, shall also stand disposed of.

(SUMEET GOEL)
JUDGE

August 20, 2025

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Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No