



CRM-M-34344-2025

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-34344-2025
Decided on: 25.09.2025

Nirmal Kaur
.....Petitioner
Versus
State of Punjab
.....Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Ms. Yukta, Advocate for
Mr. Prateek Sodhi, Advocate for the petitioner.

Mr. Bareen Pratap Singh, AAG, Punjab.

SANJAY VASHISTH, J.

1. Prayer in this petition, filed under Section 482 of the BNSS, 2023 (earlier Section 438 Cr.P.C.), is for grant of anticipatory bail to the petitioner, who has been booked in a criminal case arising out of First Information Report, as detailed hereunder:-

Name & age of Petitioner (s)	FIR No.	Date	Section(s)	Police Station	District
Nirmal Kaur aged about 65 years	74	13.05.2025	420 and 120-B IPC	Police Commissionerate	Jalandhar

2. On 04.07.2025, following order was passed:-

“1. Prayer in this petition, filed under Section 482 of the BNSS, 2023 (earlier Section 438 Cr.P.C.), is for grant of anticipatory bail to the petitioner, who has been booked in a criminal case arising out of First Information Report, as detailed hereunder:-



Name & age of Petitioner (s)	FIR No.	Date	Section(s)	Police Station	District
Nirmal Kaur aged about 65 years	74	13.05.2025	420 and 120-B IPC	Police Commissionerate	Jalandhar

2. On oral request made by counsel for the petitioner, complainant namely Kimti Lal, s/o Niranjan Dass, resident of H. No.145, Main Road, Near Railway Ftak, V.P.O. Nagra, District Jalandhar, is ordered to be impleaded as respondent No.2 in the present petition.

Let amended memo of parties be placed on record by counsel for the petitioner, in the Registry within a period of one week from today.

3. Learned counsel for the petitioner, inter alia, contends that even if the allegations are taken at their face value, no criminal offence is made out against the petitioner. It is submitted that there exists no written agreement between the parties, and even if there is any alleged breach, remedy does not lie in the registration of a criminal case. In the event of any violation of the purported contractual understanding regarding the complainant’s son being taken to Canada, appropriate civil remedies are available under the law.

4. It is further submitted that the amount in question, though not specifically admitted, has been invested with free will, in context of marrying with the petitioner’s daughter. Moreover, petitioner is ready and willing to join the investigation and fully cooperate, provided he is granted protection from arrest by this Court. Thus, prays for grant of concession of anticipatory bail to the petitioner in the present case.

5. Notice of motion.



6. *On advance notice, Mr. Neeraj Madaan, Sr. DAG, Punjab, puts in appearance on behalf of the respondent – State, and Mr. Amrit Paul Nahar, Advocate, puts in appearance on behalf of the complainant.*

7. *List again on 25.09.2025.*

8. *In the meanwhile, the petitioner is directed to join the investigation as and when required to do so by the Investigating Agency. In the event of his arrest, the petitioner shall be released on ad-interim bail, subject to his furnishing bail bonds to the satisfaction of the Arresting Officer. The petitioner shall also be abide by all the conditions laid down under Section 482(2) of BNSS, 2023 (earlier Section 438(2) Cr.P.C.).*

9. *Besides, it is directed that petitioner would hand over his passport to the Investigating Agency or to Court concerned, if he possesses. Otherwise, would submit an affidavit, disclosing the fact that he does not possess any passport.*

It is also directed that before leaving country any time during trial, petitioner would seek prior permission of the Court.

10. *At this stage, a joint request has been made by counsel for the petitioner as well as the complainant that dispute can be resolved amicably, if the matter is referred to the Mediation and Conciliation Centre of this Court.*

11. *Let the parties appear before the Mediation and Conciliation Centre of this Court for 25.07.2025.*

12. *List again on 25.09.2025, awaiting report.*

However, it would not mean that petitioner would not join the investigation, as and when called by the Investigating Officer.”

3. Continuing his submissions, learned counsel for the petitioner contends that although the proceedings before the Mediation

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and Conciliation Centre have failed, petitioner in compliance with the order dated 04.07.2025 passed by this Court, has joined the investigation and has extended full cooperation. Therefore, he prays for confirmation of the said interim anticipatory bail order.

4. Learned State counsel on instructions, confirms the said averment made by counsel for the petitioner of joining the investigation on 11.07.2025 by the petitioner, and submits that as of now, custodial interrogation of the petitioner is not required for the purpose of investigation.

5. Heard learned counsel for the parties.

6. Since, petitioner has already joined the investigation and custodial interrogation is no more required; ad-interim bail order dated 04.07.2025, passed by this Court is hereby made absolute. Accordingly, present petition is allowed.

However, petitioner shall continue to join the investigation as and when required to do so and abide by all the terms and conditions laid down under Section 482(2) of BNSS, 2023.

7. Accordingly, petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

25.09.2025

Rashmi

Whether Speaking/Reasoned: **YES/NO**
Whether Reportable: **YES/NO**