



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

(208)

**CRM-M-34115-2025
Date of Decision: 08.8.2025**

Chandan Jain

.....Petitioner

Versus

State of Punjab and another

.....Respondents

CORAM: HON'BLE MS. JUSTICE KIRTI SINGH

Present: Mr. Atul Goyal, Advocate
for the petitioner.

Ms. Aakanksha Gupta, AAG, Punjab.

KIRTI SINGH, J. (ORAL)

1. Prayer in the present petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS'), is for grant of anticipatory bail to the petitioner, in case FIR No. 87 dated 28.11.2024, under Sections 406, 420, 506 IPC (Section 498-A IPC was added later on), registered at Police Station Women, District Police Commissionerate Ludhiana.

2. Status report by way of affidavit of ACP, Headquarter, Additional Charge, CAW & C-Cell, Ludhiana, has been filed by the State, which is taken on record. Copy thereof has been supplied to the learned counsel for the petitioner.

3. Vide order dated 04.7.2025, the petitioner was directed to join investigation. The said order is reproduced hereinafter:-

“Apprehending arrest the petitioner has filed this petition under Section 482 of BNSS for grant of anticipatory bail in case bearing FIR No.87 dated 28.11.2024, under Sections 406, 420 and 506 IPC



(Section 498-A IPC added lateron), registered at Police Station Women, District Police Commissionerate Ludhiana.

2. *Learned counsel for the petitioner inter alia submits that being the brother-in-law of the husband of respondent No.2, the petitioner has been falsely implicated in the present FIR. There is no specific allegation qua the petitioner and that had not even been named in the present FIR but was nominated as an accused vide DDR No.29 dated 16.05.2025. In fact the petitioner resides in a separate household in a different city. Learned counsel further submits that similarly placed co-accused has been granted concession of interim bail by the learned Additional Sessions Judge, Ludhiana vide its order dated 31.05.2025 (Annexure P-3). The petitioner is ready to join investigation and co-operate.*

3. *Notice of motion.*

4. *At the asking of the Court, Mr. Tarun Aggarwal, Addl. A.G. Punjab, accepts notice on behalf of the respondent-State and prays for some time to file response.*

5. *Adjourned to 08.08.2025.*

6. *In the meantime, arrest of the petitioner shall remain stayed. 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.”*

4. Learned State counsel on instructions from the official concerned submits that in compliance of order dated 04.7.2025, the petitioner has joined the investigation on 24.7.2025. However, recovery of the dowry articles are yet to be effected from him.

5. The Court while considering the petition for grant of anticipatory bail has to strike a balance between the liberty of an individual



on one hand and on the other hand, the role and the allegations against the petitioner. This Court after hearing learned counsels for the parties, is of the considered view that liberty of the petitioner will be a dominant factor for the purpose of considering prayer for grant of anticipatory bail. Non-return of the dowry articles/Stridhan will only be a factor which is subservient to the aforesaid dominant factor. While striking a balance between the aforesaid two things and in view of the facts and circumstances of the present case, the liberty of the petitioner will prevail over the argument raised by learned State Counsel.

6. Having considered the aforesaid facts and circumstances, the petition is allowed. Order dated 04.7.2025 passed by this Court, is hereby made absolute.

7. 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.

8. 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.

9. 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.

10. The accused-petitioner shall not leave India without prior permission of the Court.

11. The accused-petitioner shall join the investigation as and when called by the police.



12. 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, 2023 (erstwhile Section 439(2) of Cr.P.C.) to arrest the accused-petitioner, 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.

13. Pending miscellaneous application, if any, also stands disposed of.

(KIRTI SINGH)
JUDGE

August 08, 2025
Gurpreet Singh

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