



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

(206)

CRM-M-37704-2025

Date of Decision: 27.8.2025

Jafar Ali

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MS. JUSTICE KIRTI SINGH

Present: Mr. Amit Dhawan, Advocate and
Mr. Himanshu Gulati, 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. 106 dated 07.6.2025, under Sections 64 and 351(3) of BNS, 2023, registered at Police Station Goraya, District Jalandhar (Rural).
2. Status report by way of affidavit of Deputy Superintendent of Police, Sub Divisions, Phillaur, Jalandhar (Rural), has been filed by the State, which is taken on record.
3. Vide order dated 22.7.2025, the petitioner was directed to join investigation. The said order is reproduced hereinafter:-

“x x x x

2. *Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case on the statement made by the complainant, alleging that the petitioner developed physical relations on the pretext of marriage. It is submitted that the complainant is a mature lady and is already married, hence there was no occasion for the petitioner to give any assurance, as alleged,*



with regard to solemnizing marriage with her. Further, there is no medical evidence to corroborate the allegations so levelled against the petitioner. Learned counsel submits that the present petition is in fact a counterblast to the complaint moved by the father of the petitioner against the complainant for duping him of Rs.3 lakhs on the pretext of threatening to rope the petitioner in a false case, whereafter a compromise was later effected between the petitioner and the complainant, and she undertook not to visit the house or shop of the petitioner in future (Annexure P-3).

3. *Notice of motion.*

4. *At the asking of the Court, Ms. Aakanksha Gupta, AAG Punjab, accepts notice on behalf of the respondent-State and prays for some time to file response.*

5. *Adjourned to 27.08.2025.*

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 ASI Amandeep, submits that in compliance of order dated 22.7.2025, the petitioner has joined the investigation on 08.8.2025 and is not required for any further investigation.

5. Having considered the aforesaid facts and circumstances, the petition is allowed. Order dated 22.7.2025 passed by this Court, is hereby made absolute.

6. This order should not be treated as "blanket" order. It will not be read granting the petitioner(s) 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.

7. 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(s).

8. The accused-petitioner(s) 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.

9. The accused-petitioner(s) shall not leave India without prior permission of the Court.

10. The accused-petitioner(s) shall join the investigation as and when called by the police.

11. 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(s), 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.

12. Pending miscellaneous application(s), if any, also stands disposed of.

(KIRTI SINGH)
JUDGE

August 27, 2025
Gurpreet Singh

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