

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

CRM-M-44013-2025 (O&M)

Date of Decision: 25.08.2025

NITISH KUMAR @ ENNY

...Petitioner

Versus

STATE OF PUNJAB AND OTHERS

...Respondents

CORAM: HON'BLE MS. JUSTICE KIRTI SINGH

Present:- Mr. Deepak Arora, Advocate for the petitioner.

Ms. Aakanksha Gupta, AAG, Punjab.

KIRTI SINGH, J. (Oral)

1. Apprehending his arrest the petitioner has filed this petition under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of anticipatory bail in case bearing FIR No.190 dated 13.06.2025 under Sections 115(2), 118(1), 333, 324(4), 74, 351(2), 191(3), 190 of BNS registered at Police Station City Hoshiarpur, District Hoshiarpur.
2. This Court while issuing notice of motion on 13.08.2025 passed the following order:-

“Apprehending arrest in FIR No.0190 dated 13.6.2025, under Sections 115(2), 118(1), 333, 324(4), 74, 351(2), 191(3) and 190 of BNS, 2023, registered at Police Station City Hoshiarpur, District Hoshiarpur, the petitioner has preferred this petition under Section 482 of Bhartiya Nagarik Suraksha Sanhita, 2023 (BNSS, 2023) for grant of pre-arrest bail.

At the very outset, learned counsel for the petitioner submits that the dispute leading to the registration of the instant FIR on the statement of the complainant has been amicable settled between the conflicting parties, and a compromise deed dated 25.7.2025 was executed to that effect. It is submitted that a petition for quashing of the instant FIR on the basis of the said compromise has also been filed before this Court (CRM-M-40789-2025), wherein vide order dated 31.7.2025 (Annexure P4), the parties were directed to record their statements before the learned trial Court with respect to the factum of the compromise. Learned counsel submits that the

petitioner is ready to join investigation and cooperate.

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 reply.

Adjourned to 25.8.2025.

Meanwhile, the arrest of the petitioner shall remain stayed. He shall join investigation before the Investigating Agency/Officer. The petitioner 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 Nanak Singh submits that in compliance of order dated 13.08.2025, 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 13.08.2025 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.

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

25.08.2025
Ithlesh

(KIRTI SINGH)
JUDGE

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