



IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

(208)

CRM-M-60888-2024

Date of Decision: 25.09.2025

AMANDEEP SINGH JAURA

.....Petitioner

Versus

STATE OF PUNJAB AND ANOTHER

.....Respondents

CORAM: HON'BLE MS. JUSTICE KIRTI SINGH

Present: Mr. Pankaj Gupta, Advocate for the petitioner.

Ms. Aakanksha Gupta, AAG, Punjab.

Mr. R.K. Kachura, Advocate
for the complainant-respondent No.2.

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.59 dated 20.05.2024, under Sections 406 and 498-A of IPC, registered at Police Station PS NRI, District Police Commissionerate, Amritsar.

2. Vide order dated 04.12.2024, the petitioner was directed to join investigation. The said order is reproduced hereinafter:-

"The present petition has been filed under Section 482 of BNSS seeking anticipatory bail to the petitioner in case bearing FIR No.59 dated 20.05.2024 under Sections 406/498-A of IPC registered at Police Station NRI Amritsar (Annexure P-9).

Learned counsel for the petitioner inter alia contends that the petitioner and the complainant were earlier residing in New Zealand and no complaint with regard to any harassment on account of demand of dowry was ever made during the seven years of marriage. It was a simple marriage and no dowry was demanded or given. He further submits that the petitioner is the permanent resident of New Zealand and majority of the allegations in the FIR have taken place in New Zealand. Moreover, the maximum sentence provided for the



offences under which the FIR(supra) is registered is upto 3 years. No notice under Section 35 of BNSS (earlier 41-A of Cr.P.C.) was ever served upon the petitioner. As such, the petitioner is entitled to anticipatory bail in view of the directions issued by the Hon'ble Supreme Court in **Md. Asfak Alam v. State of Jharkhand and another 2023 (3) R.C.R(Criminal) 754**. It is further contended that there is no possibility of the petitioner fleeing from justice and pre-trial detention would cause irreparable loss, mental agony, embarrassment and humiliation to the petitioner as well his entire family.

Notice of motion.

On the asking of the Court, Mr. Subhash Godara, Addl.A.G., Punjab, who is present in Court, accepts notice on behalf of the respondent-State.

In the meantime, keeping in view the law enunciated by the Hon'ble Supreme Court in **Arnesh Kumar v. State of Bihar (2014) 8 SCC 273**, **Arnab Manoranjan Goswami v. State of Maharashtra (2021) 2 SCC 427**, **Satender Kumar Antil v. CBI (2022) 10 SCC 51**, **Siddharam Satlingappa Mhetre v. State of Maharashtra & Ors. 2010 SCC OnLine SC 1375** and **Shri Gurbaksh Singh Sibbia V. State of Punjab (1980) 2 SCC 565**, at the first instance, the petitioner is directed to appear before the Investigating Officer within four weeks from today and on his doing so or in the event of arrest, the petitioner shall be admitted to interim bail on furnishing of bail/surety bond to the satisfaction of the Investigating/Arresting Officer. The petitioner shall cooperate with the Investigating/Arresting Officer and abide by the conditions as provided under Section 482(2) of BNSS (earlier 438 (2) Cr.P.C.).

If the Investigating/Arresting Officer does not permit the petitioner to join the investigation, the petitioner would appear before the Illaqa Magistrate, who would then summon the Investigating/Arresting Officer and direct him to join the petitioner in investigation, in terms of the order of this Court.

Adjourned to 27.01.2025.

Nothing observed hereinabove shall be construed as expression of opinion of this Court on merits of the case and the trial Court shall proceed without being prejudiced by observations of this Court."

3. Learned State counsel on instructions from ASI Prem Singh submits that in compliance of order dated 04.12.2024, 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 04.12.2024 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(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.
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(s).
7. 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.
8. The accused-petitioner(s) shall not leave India without prior permission of the Court.
9. The accused-petitioner(s) 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, 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.
11. Pending miscellaneous application(s), if any, also stands disposed of.

(KIRTI SINGH)
JUDGE

September 25, 2025
Ithlesh

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