

2025:PHHC:160877

211 (2nd case)IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-58219-2025

Rakesh Kumar

....Petitioner

versus

State of Punjab

....Respondent

Date of decision: November 19, 2025

Date of Uploading: November 19, 2025

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present: Mr. Mukesh Kumar Bhatnagar, Advocate for the petitioner.

Mr. Jaypreet Singh, DAG Punjab.

SUMEET GOEL, J. (ORAL)

Present petition has been filed under Section 482 of the Bhartiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') for grant of concession of anticipatory bail to the petitioner in case FIR No.0134 dated 22.08.2025, under Sections 420, 465, 468 & 120-B of the IPC, 1860, registered at Police Station Sultanwind, District Police Commissionerate, Amritsar.

2. On 17.10.2025, the following order was passed:

“Apprehending their arrest in FIR No.0134 dated 22.08.2025 registered for offences punishable under Sections 420, 465, 468, 120-B IPC at Police Station Sultanwind, District Amritsar; the petitioners have preferred the present petitions under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking pre-arrest bail.

Counsel for the petitioners, inter alia, contends that the FIR in question essentially has civil overtones, the FIR in question hovers around an agreement to sell dated 11.05.2019 whereas the FIR in question was registered on 22.08.2025, custodial interrogation would warrant only ignominy to the petitioners & the petitioners are willing to join investigation and cooperate therein.

Notice of motion.

On the strength of advance notice; Mr. Arun Jindal, Addl. AG, Punjab has entered appearance on behalf of the respondent-State of Punjab.

Adjourned to 19.11.2025.

To be heard alongwith CRM-M-58256-2025.

The petitioners are directed to appear before the Investigating Officer on 29.10.2025 at 11:00 A.M. in concerned Police Station and join investigation. In the event of arrest, the petitioners shall be released on interim bail subject to their furnishing personal/surety bond(s) to the satisfaction of the Arresting Officer/Investigating Officer. As and when further called by Investigating Officer, the petitioners shall join the investigation. They shall abide by the condition(s) enumerated under Section 482(2) of Bharatiya Nagarik Suraksha Sanhita, 2023.

Photocopy of this order be placed on the file of other connected case(s).”

3. Learned State counsel (on instructions) has stated that the petitioner has indeed joined investigation and his custodial interrogation is not required.

4. Having heard learned counsel for the parties and upon perusal of the record; especially in view of the factum of the petitioner having joined investigation and his custodial interrogation is not being sought, the interim order dated 17.10.2025 passed by this Court is made absolute, subject to the conditions as enumerated under Section 482(2) of BNSS, 2023.

5. Petition stands allowed, accordingly.

6. This order should not be treated as “blanket” order. It will not be read granting 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.

7. Liberty is reserved in favour of State/complainant to move for cancellation/recall of this order in case the petitioner violates any condition stipulated under Section 482(2) of BNSS, 2023 or upon showing any other sufficient cause.

8. Needless to say that anything observed herein above shall not be construed to be an opinion on the merits of the case.

9. Pending application(s), if any, shall also stand disposed of.

(SUMEET GOEL)
JUDGE

November 19, 2025

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Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No