



CRM-M-64111-2024

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

CRM-M-64111-2024

Date of decision: 19.03.2025

KAMRUDDIN ALAM

....Petitioner

Versus

STATE OF PUNJAB AND ANR

....Respondents

CORAM: HON'BLE MRS. JUSTICE **AMARJOT BHATTI**Present: Mr. Amandeep Singh Advocate
for the petitioner.

Mr. Japjot Singh, AAG, Punjab.

Mr. Abhishek Kathpal, Advocate
for respondent No.2.

AMARJOT BHATTI, J.

Petitioner-Kamruddin Alam has filed the present petition under Section 482 of BNSS, 2023 for grant of anticipatory bail in FIR No.133, dated 30.09.2024, under Section 64 BNS, 2023, registered at Police Station Division No.8, District Ludhiana (Annexure P-1).

2. As per facts of the case, the prosecutrix gave her statement that she is residing along with her husband in a room situated on second floor. Kamruddin Alam is staying along with his brother on the first floor. On 28.09.2024, there was a party in the house of landlord celebrating birthday of his grandson. At about 8.00 P.M. when she was coming downstairs Kamruddin Alam who was under the influence of intoxicant picked her up on the terrace and forcibly committed raped with her. At that time, her husband was on night duty. On the next day, she narrated the entire incident to her husband and thereafter matter was reported to the police.



3. Learned counsel for petitioner argued that in pursuance of order dated 09.12.2024 he has joined the investigation. Even, otherwise FIR was registered due to some misunderstanding and the matter has been compromised vide compromise dated 25.11.2024 (Annexure P-2). They have also filed petition seeking quashing of FIR. Order passed in CRM-M-61265-2024 dated 09.12.2024 is Annexure P-3. It is submitted that he is ready to abide by the terms of bail order.

4. Status report is filed, confirming the aforesaid factual position. It is also confirmed that petitioner has already joined investigation on 29.12.2024. Investigation is still going on. The prosecutrix had confirmed her version when her statement was recorded under Section 183 BNSS. Considering the gravity of offence, anticipatory bail application is opposed.

5. I have considered aforesaid facts and have gone through the record. Petitioner has already joined the investigation. As stated by the petitioner regarding compromise arrived at with the prosecutrix he has referred to the order passed in CRM-M-61265-2024 dated 09.12.2024 (Annexure P-3) vide which petition has been filed for quashing of FIR on the basis of compromise and the parties are directed to appear before the Court for recording of their statements.

6. In the light of aforesaid factual position, no purpose would be served by sending petitioner behind the bars. Therefore, at this stage, without expressing my mind on the merits of the case, interim bail already granted by the Coordinate Bench on 19.12.2024 is confirmed subject to the conditions envisaged under Section 482 (2) BNSS.

- 7. Petition is accordingly, disposed of.
- 8. Pending miscellaneous application(s), if any, stand disposed of accordingly as well.

(AMARJOT BHATTI)
JUDGE

19.03.2025
monika

- 1. Whether speaking/ reasoned : Yes /No
- 2. Whether reportable : Yes /No