



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

206

CRM-M-65329-2024(O&M)

Date of Decision: 28.01.2025

JASPAL SINGH

...Petitioner

Versus

STATE OF PUNJAB AND ANOTHER

...Respondents

CORAM: HON'BLE MS. JUSTICE KIRTI SINGH

Present:- Mr. Ashok Giri, Advocate for the petitioner.

Mr. R.S.Thind, DAG Punjab..

Ms. Srishti Shukla, Advocate and
Mr. Rajiv Joshi, Advocate for complainant.

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.111 dated 27.09.2024 under Sections 323, 406 and 498-A of IPC registered at Police Station Women Cell, District Police Commissionerate Jalandhar.

2. The following order was passed on 23.12.2024:-

"1. The petitioner, through instant petition under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS'), is seeking anticipatory bail in FIR No.111 dated 27.09.2024 (Annexure P-1) under Sections 323, 406, 498-A of Indian Penal Code, 1860 (for short 'IPC') registered at Police Station Women Cell, District Police Commissionerate, Jalandhar.

2. Learned counsel for the petitioner inter alia contends that son of the petitioner solemnized marriage with the complainant on 19.05.2023. The petitioner's son is staying out of country. After few days of marriage, it came in the knowledge of the family of the petitioner that complainant is suffering from psychiatric issues. She is undergoing mental illness treatment. There was no demand of dowry on the part of petitioner.

3. Notice of motion.

4. Mr. S.S. Hira, Deputy Advocate General, Punjab, who on advance notice is present in Court, accepts notice on behalf of the respondent No.1-State and waives service. He seeks time to file status report.

5. Adjourned to 28.01.2025.

6. In the meantime, at the first instance, the petitioner is directed to appear before the Investigating Officer on 26.12.2024 and thereafter as directed



by the Investigating Officer. In the event of arrest, the petitioner shall be admitted to interim bail on furnishing of bail/surety bonds to the satisfaction of Investigating/Arresting Officer subject to the conditions provided under Section 482(2) of BNSS. The petitioner shall cooperate the Investigating Officer.

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

3. Status report dated 27.01.2025 filed by learned State counsel is taken on record. Learned State counsel on instructions from ASI Rajesh Kumar submits that in compliance of order dated 23.12.2024, 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 23.12.2024 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 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.

28.01.2025

Kavita

Whether speaking/reasoned
Whether reportable

(KIRTI SINGH)
JUDGE

Yes/No
Yes/No