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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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Date of Decision: 26.03.2025

Chaman Lal and another

...Petitioners

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MS. JUSTICE KIRTI SINGHPresent:-. Mr. P.K.S. Phoolka, Advocate
for the petitioners

Mr. Davinder Bir Singh, Sr. DAG Punjab

Mr. Pulkit Dhanda, Advocate
for respondent No. 2

KIRTI SINGH, J.(Oral)

Prayer in the present petition filed under Section 482 of BNSS, 2023 is for grant of anticipatory bail to the petitioners, in case FIR No.0209 dated 18.06.2024 registered under Sections 498-A and 120-B IPC (Section 406 IPC added later on) at Police Station City Kharar, District SAS Nagar, Mohali.

2. Learned counsel for the petitioners *inter alia* submits that the petitioners are in-laws of the complainant aged about 69 and 68 years, respectively and have been falsely implicated in this case on the allegation that the petitioners and co-accused used to harass the complainant with regard to the demand of dowry. He further submits that the present FIR is a counterblast to the divorce petition which has been filed by the son of the petitioners, and petitioners have clean antecedents.



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3. The following order was passed on 04.03.2025:-

“As per the mediation report, the matter could not be settled.

List on 26.03.2025.

In the meantime, petitioners shall join investigation before the vestigating Agency/Officer. He shall abide by the following conditions as visaged under Section 438(2) Cr.P.C.:-

1) That the petitioners shall make themselves available for interrogation by a police officer as and when required to do so.

2) That the petitioners 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 from disclosing such facts to the court or to any police officer.

3) That the petitioners shall not leave India without prior permission of the Court.

Interim order to continue till the next date of hearing.”

3. Learned State counsel on instructions from ASI Pavittar Pal Singh submits that the petitioners have joined the investigation and are not required for any further investigation.

4. Having considered the aforesaid facts and circumstances, the petition is allowed. Order dated 04.03.2025 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 petitioners 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 petitioners.

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7. The accused/petitioners 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/petitioners shall not leave India without prior permission of the Court.
9. The accused/petitioners 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) 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.
11. Pending application(s), if any, also stands disposed of accordingly.

26.03.2025

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Whether speaking/reasoned
Whether reportable

(KIRTI SINGH)
JUDGE

Yes/No
Yes/No