



**117 IN THE HIGH COURT OF PUNJAB AND HARYANA
CHANDIGARH**

CRM-M-67192-2025 (O&M)

Date of Decision: 02.12.2025

SHARAD JOSHI AND OTHERS

...Petitioners

V/S

STATE OF PUNJAB AND OTHERS

...Respondents

CORAM: HON'BLE MS. JUSTICE SHALINI SINGH NAGPAL

Present: Mr. Prateek Sodhi, Advocate
for the petitioners.

Mr. Kunwarbir Singh, AAG Punjab.

SHALINI SINGH NAGPAL J. (Oral)

Petition under Section 528 Bharatiya Nagarik Suraksha
Sanhita, 2023 seeks following reliefs:

- (i) Direction to official respondents to join petitioners in investigation of FIR No. 76 dated 15.04.2025 under Sections 498-A, 406, 120-B and 323 Indian Penal Code, Police Station City Moga, District Moga at a place outside the territorial limits of Moga;
- (ii) Issuance of directions to official respondents to protect the life and liberty of the petitioners on their visit to Moga, if they are directed to do so.

Learned counsel for the petitioners submits that marriage of petitioner No. 1 and respondent No. 5 was solemnized on 08.12.2023. The marriage lasted for only 04 months after which disputes arose leading to registration of FIR No. 76 dated 15.04.2025 under Sections 498-A, 406, 120-B and 323 Indian Penal Code, Police Station City



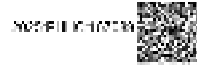
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Moga, District Moga, against the petitioners. Petitioners directly approached this Court for grant of anticipatory bail without exhausting their remedy before the Court of Sessions, as respondent No. 4 and her husband, parents of the wife, were practising advocates at Moga and no counsel at Moga was willing to accept the case and file application for anticipatory bail. He further submits that wife of petitioner No. 1 had shifted to Australia on 01.06.2024 and it was the mother-in-law i.e. respondent No. 4, who was pursuing the litigation as complainant. It is pointed out that vide order dated 29.08.2025, this Court had allowed petitions for anticipatory bail of the petitioners with a direction to join investigation as and when required by the Investigating Officer. Petitioners were repeatedly calling the Investigating Officer, but despite all efforts they were not being joined in investigation. He refers to representation dated 16.11.2025 sent on e-mail, disclosing all these facts to Senior Superintendent of Police, Moga. It is argued that despite the petitioners imploring the police to join them in investigation, the genuine requests were being deferred and petitioner No. 1, who was in Merchant Navy, was precluded from seeking permission from the trial Court to go abroad for his sailing duties. It is prayed that directions may be issued to the official respondents to join petitioners in the investigation as early as possible.

Notice of motion to official respondents only.

Mr. Kunwarbir Singh, AAG Punjab, who is present in the Court, accepts notice on behalf of official respondents No. 1 to 3 and on



instructions from Inspector Varun Sharma, submits that by way of telephonic information, petitioners were asked to join investigation but they did not do so and *Rojnamcha* was recorded in his regard.

In the peculiar facts and circumstances of the case, petitioners are directed to report in the office of Senior Superintendent of Police, Moga on 08.12.2025 at 12.00 Noon. Petitioners shall be joined in investigation by the Investigating Officer in the presence of Senior Superintendent of Police, Moga. Official respondents shall ensure protection of life and liberty of the petitioners during their visit to Moga.

Petition stands disposed of on the aforesaid terms.

02.12.2025
Ajay Goswami

(SHALINI SINGH NAGPAL)
JUDGE

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