



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

(102)

CRM-M-36051-2025 (O&M)
Date of Decision: 23.4.2026

Subhash

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MS. JUSTICE KIRTI SINGH

Present: Mr. Bikram Chaudhary, Advocate
for the petitioner.

Ms. Guramrit Kaur, DAG, Punjab.

Ms. Indu Bala, Advocate
for respondent No. 2.

KIRTI SINGH, J. (ORAL)**CRM-44726-2025**

The application is allowed as prayed for. Annexures P-8 and P-9 are taken on record.

CRM-M-36051-2025

1. Prayer in the present petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS'), is for grant of anticipatory bail to the petitioner, in case FIR No. 74 dated 12.5.2025, under Sections 74, 61(2), 351(2) of BNS, registered at Police Station Nehianwala, District Bathinda.

2. Vide order dated 07.4.2026, the petitioner was directed to join investigation. The said order is reproduced hereinafter:-

“This Court while issuing notice of motion on 11.07.2025 had passed the following order:



“Learned counsel for the petitioner submitted that it is a case where the allegations made by the complainant in the FIR are not only improbable but also against the nature. He further submitted that it is a case where the allegations were made by the complainant that her mother was having relationship with the present petitioner and it is so stated in the FIR that the petitioner was compelling the complainant to call him ‘Daddy’ but in the latter part of the FIR, allegations of molestation have been alleged. He also submitted that the lodging of the present FIR was purely an abuse of the process of law.

Notice of motion.

Mr. Jasjit Singh, DAG, Punjab, accepts notice on behalf of the respondent-State and has prayed for some time to seek instructions and file reply/affidavit in the present case. He submitted that there is another FIR against the present petitioner pertaining to the sister of the complainant.

Let reply/affidavit be filed before the next date of hearing with copy in advance to the learned counsel for the petitioner.

Adjourned to 12.11.2025.

Till the next date of hearing, the arrest of the petitioner shall remain stayed.”

Learned counsel for the petitioner while placing reliance upon Annexure P-4 submits that the younger sister of the complainant has registered one more FIR i.e. FIR No.101 on 02.06.2025 against the petitioner and her mother. In the said FIR, the complainant stands examined before the learned trial Court, in which she has not supported the case of the prosecution and has been declared hostile. Learned counsel further submits that now the matter stands amicably settled between the parties, and the petitioner is ready and willing to join investigation and cooperate.

Learned counsel for the complainant does not controvert the submissions made by the learned counsel for the petitioner regarding compromise.

Adjourned to 23.04.2026.

In the meantime, the petitioner shall join investigation before the Investigating Agency/ Officer. He shall abide by the following conditions as envisaged under Section 482(2) BNSS, 2023:-

- (1) That the petitioner shall make himself available for interrogation by a police officer as and when required to do so.*
- (2) That the petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts to the case so as to dissuade him from disclosing such facts to Court or to any police officer.*



(3) *That the petitioner shall not leave India without prior permission of the Court.*

Needless to mention that the investigating agency/officer shall continue with the investigation of the case in usual manner.

Interim order to continue.”

3. Learned State counsel on instructions from ASI Lakhwinder Singh, submits that in compliance of order dated 07.4.2026, 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 07.4.2026 passed by this Court, is hereby made absolute, subject to the condition enumerated under Section 482(2) BNSS.

5. This order should not be treated as "blanket" order. It will not be read as granting the petitioner(s) 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. Liberty is reserved with the investigating agency/complainant to move to this Court for a direction under Section 483(3) of BNSS, 2023 (erstwhile Section 439(2) of Cr.P.C.), in the event of violation of any term, stipulated under Section 482(2) BNSS, or upon showing any other sufficient cause.

7. Pending miscellaneous application(s), if any, also stands disposed of.

(KIRTI SINGH)
JUDGE

April 23rd, 2026
Gurpreet Singh

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