



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

(119)

CRM-M-43384-2025
Date of Decision: 25.2.2026

Mustak Ali

.....Petitioner

Versus

State of Punjab and another

.....Respondents

CORAM: HON'BLE MS. JUSTICE KIRTI SINGH

Present: Mr. Deepak Gupta, Advocate
for the petitioner.

Ms. Guramrit Kaur, DAG, Punjab.

KIRTI SINGH, J. (ORAL)

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. 29 dated 23.4.2025, under Sections 85 and 316(2) of BNS, registered at Police Station Patara, Jalandhar.

2. Vide order dated 04.2.2026, the petitioner was directed to join investigation. The said order is reproduced hereinafter:-

“Learned counsel for the petitioner inter alia contends that marriage between the petitioner and the complainant was solemnised on 25.12.2022 but after marriage, the complainant did not adjust with the petitioner, due to which the petitioner filed a divorce petition. He further submits that as a counter-blast to the said divorce petition, the present FIR was lodged by the complainant.

As per the report received from the Mediation and Conciliation Centre, the matter could not be amicably settled.

None has put in appearance on behalf of respondent no.2.



In the interest of justice, adjourned to 25.02.2026, for final arguments.

Interim order to continue.

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.”

3. Learned State counsel on instructions from the investigating officer concerned, submits that in compliance of order dated 04.2.2026, 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 04.2.2026 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(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. 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(s).

7. The accused-petitioner(s) 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(s) shall not leave India without prior permission of the Court.

9. The accused-petitioner(s) 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, 2023 (erstwhile Section 439(2) of Cr.P.C.) to arrest the accused-petitioner(s), 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 miscellaneous application(s), if any, also stands disposed of.

(KIRTI SINGH)
JUDGE

February 25, 2026
Gurpreet Singh

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