



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

(101)

**CRM-M-52806-2024 (O&M)**  
**Date of Decision: 18.3.2026**

Amit Bansal

.....Petitioner

Versus

State of Haryana

.....Respondent

**CORAM: HON'BLE MS. JUSTICE KIRTI SINGH**

Present: Mr. S.K.Garg Narwana, Senior Advocate with  
Mr. Vishal Garg Narwana, Advocate and  
Ms. Shruti Jain, Advocate  
for the petitioner.

Mr. Brijesh Sharma, AAG, Haryana.

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**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. 336 dated 31.7.2024, under Sections 34, 354-A and 506 IPC and the later on added Sections 201, 500, 376, 384 and 120-B IPC, registered at Police Station Chandimandir, District Panchkula.

2. On 30.1.2025, the following order was passed by a Co-ordinate Bench of this Court:-

*“Learned Senior Counsel for the petitioner has submitted that on 08.11.2024, this Court had directed that in the meantime, no coercive action shall be taken against the petitioner and thereafter, the police has neither issued any notice to the petitioner for joining investigation nor they have made any attempt to make the petitioner join investigation and in this way, acute prejudice has been caused to the petitioner because of the inaction on the part of the police.*



*On a query being raised to the learned Deputy Advocate General, Haryana as to why the petitioner has not joined the investigation despite the fact that on 08.11.2024, it was so directed that no coercive action shall be taken against the petitioner. He submitted on instructions from PSI Rahul who is present in the Court that since there was no order of joining the petitioner into investigation by this Court, neither further investigation could have been carried on nor the petitioner could have been joined into investigation.*

*This Court had already taken a serious view in CRM-M-19439-2020 with regard to the aforesaid issue, wherein the Additional Director General of Police, Crime, Haryana, Panchkula had already filed an affidavit alongwith instructions dated 25.11.2021 issued by the Director General of Police, Haryana in which it was so stated that accused be joined investigation and investigation be conducted unabated, honoring stay on arrest granted by the Hon'ble Courts unless investigation in any FIR is specifically stayed by the Hon'ble Courts. The relevant portion of the aforesaid instructions is reproduced as under:-*

*“In view of above, it is directed that accused be joined investigation and investigation be conducted unabated, honoring stay on arrest granted by the Hon'ble Courts unless investigation in any FIR is specifically stayed by the Hon'ble Courts. Ensure strict compliance”.*

*In view of the above, the Commissioner of Police, Panchkula is directed to look into this issue and file his own affidavit before this Court.*

*Adjourned to 19.03.2025.*

*Interim order to continue.”*

3. Thereafter on 11.12.2025, the following order was passed by a Co-ordinate Bench of this Court:-

*“x x x x*

*Learned counsel for the complainant submits that despite the fact that a compromise has been effected between the step-mother of the complainant and her father, the allegations levelled by the complainant against the present petitioner constitute a serious offence.*



*As per FIR, the complainant has alleged that the present petitioner along with the co-accused, subjected her to sexual exploitation, including allegation of oral sexual assault and thereafter threatened and extorted a sum of Rs.9,00,000/- from her. It is further alleged that the acts were committed pursuant to a conspiracy between the accused persons. On the basis of the said allegation and supporting material, the aforesaid offences were added in the FIR.*

*Per contra, learned counsel for the petitioner submits that the agreement arrived at between the step-mother of the complainant and her father has a direct bearing on the vague allegations made against the petitioner. It is contended that the entire FIR has been lodged at the instance of the father of the complainant through her daughter.*

*The aforesaid submission are vehemently opposed by learned counsel for the complainant who submits that the young girl has been violated and he intends to demonstrate the conspiracy allegedly hatched by the petitioner herein. It is further contended that the petitioner is not entitled to any concession from the Court. Learned counsel further submits that settlement arrived at between father of the complainant and the step-mother has no bearing whatsoever on the acts and conduct of the petitioner.*

*At this stage, learned counsel prays for a short accommodation to address the argument on the said issue.*

*Adjourned to 12.01.2026.*

*Interim order to continue.”*

4. Learned State counsel while placing reliance on the status report dated 17.3.2026, submits that after inquiry being made into a compliant moved by the petitioner, offence under Sections 376 and 384 IPC were deleted. The relevant paragraph of the status report reads as under:-

*“15. That subsequently, the present petitioner moved a complaint bearing No. 98-DCP/C&T/PKL dated 20.2.2026 and the enquiry in the said complaint was conducted by Sh. Arvind Kamboj, HPS, ACP, Crime, Panchkula. The entire case file was thoroughly perused and all the evidences which have come on the file were reviewed by the said ACP/enquiry officer. After his enquiry, he*



*came to the conclusion that prima facie offence u/s 376 and 384 IPC is not made out in the said FIR and it was recommended that the said Sections be deleted from the present FIR. A detailed enquiry report was prepared i.e. Sr. No. 66/ACP/Crime/PKL dated 24.2.2026.”*

4. Learned State counsel on instructions from Inspector Rampal, submits that the petitioner has joined the investigation on 24.2.2026 and is not required for any further investigation.

5. In view the above mentioned facts and circumstances of the case, and the fact that the petitioner has duly joined and co-operated with the investigation on 24.2.2026 and is not required by the investigating agency, the present petition is allowed, subject to the conditions mentioned in Section 482 (2) of BNSS, 2023.

6. 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.

7. 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.

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

**(KIRTI SINGH)**  
**JUDGE**

**March 18<sup>th</sup>, 2026**  
**Gurpreet Singh**

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