



CRM-M-24383-2025(O&M)

1

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

208

CRM-M-24383-2025(O&M)

Date of Decision: 27.05.2025

Kavir Kumar alias Kabeer

...Petitioner(s)

Versus

State of Punjab

...Respondent(s)

CORAM: HON'BLE MS. JUSTICE KIRTI SINGH

Present:- Mr. Amardeep Singh Mann, Advocate for the petitioner.

Ms. Aakanksha Gupta, AAG, Punjab.

KIRTI SINGH, J. (Oral)

1. Apprehending arrest the petitioner has filed this second petition under Section 482 of BNSS for grant of anticipatory bail in case bearing FIR No.0051 dated 25.03.2023 under Sections 363 and 366-A IPC, registered at Police Station Kotwali Bathinda, District Bathinda.

2. This Court on 06.05.2025 while issuing notice of motion, passed the following order:-

“Apprehending arrest the petitioner has filed this second petition under Section 482 of BNSS for grant of anticipatory bail in case bearing FIR No.0051 dated 25.03.2023 under Sections 363 and 366-A IPC, registered at Police Station Kotwali Bathinda, District Bathinda.

2. Learned counsel for the petitioner inter alia submits that the first petition for anticipatory bail was



dismissed on 30.11.2023. The material change in circumstances is that since, the petitioner and the prosecutrix solemnized marriage on 29.04.2025, and the prosecutrix has also given in writing an application dated 30.04.2025 (Annexure P-5) before the SSP Bathinda seeking cancellation of the aforesaid FIR.

3. Notice of motion.

4. At the asking of the Court, Ms. Guramrit Kaur, DAG, Punjab, accepts notice on behalf of the respondent-State and prays for time to file response.

5. Adjourned to 22.05.2025.

6. In the meanwhile, the petitioner is directed to produce the victim before the police authority for recording of her statement.”

3. Vide order dated 22.05.2025, this Court has directed the petitioner to join the investigation and passed the following order:-

“In compliance to the previous order, learned State counsel has filed short reply by way of affidavit of Deputy Superintendent of Police, Cite-I, Bathinda, which is taken on record. While relying upon the contents of the said reply, learned State counsel submits that statement of the victim under Section 164 Cr.P.C. has been recorded before the Chief Judicial Magistrate concerned, whereby she has stated that she has solemnized marriage with the petitioner on 29.04.2025.

2. List on 27.05.2025.

3. In the meantime, arrest of the petitioner shall remain stayed and he shall join investigation before the Investigating Agency/Officer and shall also abide by the following conditions as envisaged under Section 482(2) BNSS:-

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 of the case so as to dissuade him from disclosing such facts to the court or to any police officer.

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

4. Learned State counsel on instructions from ASI Rajiv Kumar- Investigating Officer(s), submits that in compliance of the aforesaid order, the petitioner has joined the investigation and is not required for any further investigation.

5. Having considered the aforesaid facts and circumstances, the petition is allowed. Order dated 22.05.2025 passed by this Court, is hereby made absolute.

6. This order should not be treated as "blanket" order. It will not be read granting the petitioner 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. 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.

8. The accused/petitioner 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.

9. The accused/petitioner shall not leave India without prior permission of the Court.



CRM-M-24383-2025(O&M)

4

10. The accused/petitioner shall join the investigation as and when called by the police.

11. 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 (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.

27.05.2025
Kapil

(KIRTI SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No