



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

(201)

**CRM-M-65526-2024 (O&M)
Date of Decision: 12.09.2025**

Gurjant Singh @ Fauji

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MS. JUSTICE KIRTI SINGH

Present: Mr. Aniket Aggarwa, Advocate for
Mr. Krishan Sharma Bhardwaj, Advocate
for the petitioner.

Ms. Aakanksha Gupta, AAG, 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.219 dated 30.10.2024, under Section 74 of BNS (Section 118(2) and 115 of BNS added later on), registered at Police Station Lopoke, District Amritsar Rural.

2. Vide order dated 26.12.2024, the petitioner was directed to join investigation. The said order is reproduced hereinafter:-

“Prayer in this petition, filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 is for grant of anticipatory bail to the petitioner, who has been booked for having committed the offence punishable under Section 74 BNS (Sections 118(2) and 115 BNS added later on), in a case arising out of FIR No.219, dated 30.10.2024 registered at Police Station Lopoke, District Amritsar Punjab.

Learned counsel for the petitioner contends that the false and



concocted version has been put forth by the complainant in the FIR. Initially, FIR was registered only under Section 74 of BNS but, subsequently the other offences i.e. Section 118(2) and 115 of BNS have been added.

Learned counsel for the petitioner submits that infact the petitioner was on duty at Rajasthan Mahajan Range on the date of the alleged incident, which is at the distance of about 300 kms from the spot and in this regard he refers to the letter issued by the Army Authorities (Annexure P-3).

Learned counsel for the petitioner also submits that the complainant was infact seen by her family members going with some other boy and on that account the petitioner has been falsely implicated, who is going to get married in the month of January, 2025.

Notice of motion.

On advance notice, Mr. P.S. Bhandari, AAG-cum-PP, Punjab, appears and seeks some time to file reply.

List on 06.03.2025.

In the meanwhile, petitioner is directed to join the investigation as and when required to do so by the Investigating Agency.

In the event of his arrest, the petitioner shall be released on ad-interim bail, subject to his furnishing bail bonds to the satisfaction of the Arresting Officer. The petitioner shall also abide by all the conditions laid down under Section 482(2) of Bharatiya Nagarik Suraksha Sanhita, 2023.

Besides, petitioner would submit/surrender his passport before the Arresting Officer and an undertaking on oath that in case of leaving the country, he would seek prior permission from the Investigating Agency/concerned Court.”

3. Learned State counsel on instructions from the investigating officer concerned, submits that in compliance of order dated 26.12.2024, 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 26.12.2024 passed by the Coordinate Bench of 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

September 12, 2025
Ithlesh

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