



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

279

CRM-M No.30409 of 2025
Date of decision: 30.07.2025

SURJIT SINGH

.... Petitioner

Versus

STATE OF PUNJAB AND ANOTHER

.... Respondents

CORAM: HON'BLE MS. JUSTICE KIRTI SINGH

Present : Mr. J.S. Sekhon, Advocate for the petitioner.

Mr. Luvinder Sofat, Sr. D.A.G., 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. 68 dated 16.04.2025, under Sections 137(2), 96 and 61 of Bharatiya Nyaya Sanhita, 2023 (for short 'BNS'), registered at Police Station Sadar Khanna, District Ludhiana.

2. Vide order dated 28.05.2025, the petitioner was directed to join investigation. The said order is reproduced hereinafter:-

“Apprehending arrest in FIR No.68 dated 16.04.2025, under Sections 137(2), 96 & 61 of BNS, 2023, registered at Police Station Sadar Khanna, District Ludhiana, the petitioner has preferred this petition under 482 BNSS, 2023 for grant of pre-arrest bail.

Learned counsel for the petitioner inter alia submits that the petitioner has been falsely implicated in the present case. The incident took place on 15.04.2025 whereby it has been alleged by



respondent No.2 that son of the petitioner had allured the daughter of respondent No.2 and ran away with her. He further submits that the petitioner is a watchman on school and has no connection with the incident.

Notice of motion.

Served with an advance copy of the petition, Ms. Guramrit Kaur, DAG, Punjab, accepts notice on behalf of respondent No.1-State and on instructions from ASI-Amrjit Singh, she submits that as per statement of the victim recorded under Section 164 Cr.P.C., the victim had stated that she had left alone on her own free sweet will. She prays for time to file response.

Adjourned to 30.07.2025.

Meanwhile, the arrest of the petitioner shall remain stayed. He 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. ”*

3. Learned State counsel on instructions submits that in compliance of order dated 28.05.2025, the petitioner has joined the investigation and is not



required for any further investigation and that he has also been exonerated from the FIR. The relevant part of the reply reads as under:-

“During the interrogation in the inquiry, the complainant Ranjit Singh and his daughter (victim) recorded their statements, and in their statements, they mentioned that Surjit Singh (present petitioner) had no role in sending the victim home or supporting his son Veer Singh, and they further recorded in their statements that they have no objection if the name of Surjit Singh (present petitioner) is exonerated from FIR. Thereafter, the inquiry officer recommended to declare innocent to Surjit Singh (present petitioner) vide its report dated 30-06-2025, and the report was approved by Senior Superintendent of Police, Khanna.”

4. Having considered the aforesaid facts and circumstances, the petition is allowed. Order dated 28.05.2025 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.

30.07.2025
Jyoti-IV

(KIRTI SINGH)
JUDGE

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