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

**CRM-M-2478-2025
Date of Decision: 09.07.2025**

Gurpreet Singh @ Bobby

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Puneet Bhushan, Advocate and
Mr. Arshnoor Singh Chugh, Advocate
for the petitioner.

Mr. Gaurav Gurcharan Singh Rai, Sr. DAG, Punjab.

JASGURPREET SINGH PURI, J. (ORAL)

1. The present petition has been filed under Section 482 BNS, 2023 for grant of anticipatory bail to the petitioner in FIR No.140, dated 26.10.2024 under Sections 137(2), 96 of BNS, 2023, registered at Police Station Kotwali, District Bathinda.

2. Learned counsel appearing on behalf of the petitioner submitted that it is a case where the allegations against the petitioner were pertaining to enticing away the daughter of the complainant. He further submitted that the date of birth of the girl even in the FIR is stated to be 06.12.2006 and therefore, even if assuming the same to be true, her age at the time of alleged occurrence comes out to be 17 years and 11 months which is just one month short of attaining the age of majority. He also submitted that in fact it was a case where both the petitioner and the daughter of the complainant were in a love relationship and they have also got married to each other and also sought protection from a Co-ordinate Bench of this Court vide Annexure P-2 dated



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18.11.2024 and now after getting married they are residing together happily. He further submitted that on 17.01.2025 at the time of issuing notice of motion, it was so directed that till the next date of hearing, the arrest of the petitioner shall remain stayed and thereafter, the petitioner has joined the investigation and has also fully cooperated with the investigation process. Therefore, the aforesaid interim order may be made absolute.

3. On the other hand, Mr. Gaurav Gurcharan Singh Rai, learned Sr. DAG, Punjab has filed an affidavit of Senior Superintendent of Police, Bathinda in Court today, which is taken on record. He has stated on instructions from ASI Jaskaran that after the interim protection was granted by this Court, the petitioner has joined investigation and has cooperated with the investigation process and he is not required for custodial interrogation.

4. Learned State counsel also submitted that so far as the query raised by this Court on the last date of hearing is concerned, disciplinary action has been taken against the concerned police official.

5. After hearing the learned counsels for the parties, this Court is of the considered view that in the light of peculiar facts and circumstances of the present case whereby at the time of alleged occurrence as per the date mentioned in the FIR, the age of the girl was just one month short of attaining the age of majority because she was stated to be of the age of 17 years and 11 months and that both the petitioner and the daughter of the complainant have got married to each other and are staying together and also the stand taken by the learned State Counsel that the petitioner is not required for custodial interrogation because he has already joined the investigation and has also fully co-operated with the investigation process and as per his instructions, the petitioner is not required for custodial interrogation, he deserves the concession of anticipatory bail.

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6. Consequently, the present petition is allowed. It is directed that in case in future the petitioner is required to join investigation, then he shall join the same and shall also co-operate fully with the investigation process. In the event of arrest, the petitioner shall be released on bail on his furnishing of personal bonds and surety bonds to the satisfaction of the Arresting/Investigating Officer and he shall also abide by the conditions as provided under Section 482(2) BNSS.

09.07.2025**(JASGURPREET SINGH PURI)
JUDGE***Bhumika*

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| 1. Whether speaking/reasoned: | Yes/No |
| 2. Whether reportable: | Yes/No |