



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

(211)

CRM-M-30572-2025

Date of Decision: 18.8.2025

Kajal @ Jasbir Kaur

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MS. JUSTICE KIRTI SINGH

Present: Mr. Angel Walia, Advocate
for the petitioner.

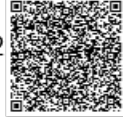
Ms. Aakanksha Gupta, AAG, Punjab.

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. 21 dated 14.3.2025, under Sections 137(2)/87 of BNSS, registered at Police Station Dera Baba Nanak, Batala, Punjab.

2. Vide order dated 29.5.2025, the petitioner was directed to join investigation. The said order is reproduced hereinafter:-

“Learned counsel for the petitioner inter alia submits that the petitioner is parental aunt (Bhua) of the main accused Vishal Masih and has been falsely implicated in this case. It is stated that the daughter of the complainant had left the matrimonial home with her own free will and solemnized marriage with the main accused, whereafter both of them even obtained a protection order from the learned Sessions Judge, Amritsar vide order dated 08.01.2025. He further submits that there is a delay of more than 02 months in registration of the present FIR and that the petitioner has no link to the alleged occurrence. The petitioner is ready and willing to join investigation.”



Notice of motion.

Served with an advance copy of the petition, Ms. Guramrit Kaur, DAG, Punjab, accepts notice on behalf of the respondent-State and seeks time to file reply.

Adjourned to 02.08.2025.

Meanwhile, the arrest of the petitioner shall remain stayed. She shall join investigation before the Investigating Agency/Officer. She shall abide by the following conditions as envisaged under Section 482(2) BNSS, 2023:-

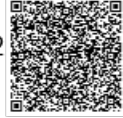
- 1) That the petitioner shall make herself available for interrogation by a police officer as and when required to do so.*
- 2) That the petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts to the case so as to dissuade him from disclosing such facts to Court or to any police officer.*
- 3) That the petitioner shall not leave India without prior permission of the Court.*

Needless to mention that the investigating agency/officer shall continue with the investigation of the case in usual manner. ”

3. Learned State counsel on instructions from SI Iqbal Singh, submits that in compliance of order dated 29.5.2025, the petitioner has joined the investigation on 12.7.2025 and is not required for any further investigation.

4. Having considered the aforesaid facts and circumstances, the petition is allowed. Order dated 29.5.2025 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 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.

7. 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.

8. The accused-petitioner shall not leave India without prior permission of the Court.

9. The accused-petitioner 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, 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

August 18, 2025
Gurpreet Singh

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