



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

210

CRM-M-36655-2025(O&M)

Date of Decision: 05.08.2025

ASHOK KUMAR

...Petitioner

Versus

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MS. JUSTICE KIRTI SINGH

Present:- Mr. Arjun Singh Rai, Advocate for the petitioner.

Ms. Aakanksha Gupta, AAG Punjab.

Ms. Sukhleen, Advocate for complainant.

KIRTI SINGH, J. (Oral)

1. Apprehending arrest the petitioner has filed this petition under Section 482 of BNSS for grant of anticipatory bail in case bearing FIR No.0111 dated 17.05.2025, under Sections 137(2) and 96 of BNS, 2023, registered at Police Station City Kotkapura, District Faridkot.

2. This Court while issuing notice of motion on 15.07.2025 passed the following order:-

“Apprehending arrest the petitioner has filed this petition under Section 482 of BNSS for grant of anticipatory bail in case bearing FIR No.0111 dated 17.05.2025, under Sections 137(2) and 96 of BNS, 2023, registered at Police Station City Kotkapura, District Faridkot.

2. Learned counsel for the petitioner inter alia submits that the petitioner has been falsely implicated in the present case on the allegation that he helped the main accused, Vishal Kumar @ Vishu, in enticing away the daughter of the complainant. It is contended that the petitioner had no role in the alleged incident. Infact, as per the statement of the prosecutrix recorded under Section 164 Cr.P.C., she has categorically stated that she left her house of her own free will. Further, even the FIR was lodged after a delay of 05 days.

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 some time to file response.

5. Adjourned to 05.08.2025.



6. *In the meantime, arrest of the petitioner shall remain stayed. 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.”

3. Learned counsel for the complainant has vehemently opposed the prayer made by learned counsel for the petitioner.

4. Status report dated 04.08.2025 has been filed by learned State counsel, in Court today, which is taken on record. Learned State counsel on instructions from investigating officer submits that in compliance of order dated 15.07.2025, 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 15.07.2025 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.

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.

Pending application(s), if any, also stands disposed of accordingly.

05.08.2025

Kavita

**(KIRTI SINGH)
JUDGE**

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No