



IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

106

CRM-M-32634-2025  
DATE OF DECISION: 18.06.2025

CHARAN DASS

...PETITIONER

Versus

STATE OF PUNJAB

... RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Ms. Rana Ghuman, Advocate for the petitioner(s).

Mr. Sandeep Singh, AAG, Punjab.

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SANDEEP MOUDGIL, J (ORAL)CRM-24188-2025

This application has been filed for correction of typographical errors occurred in the main petition.

Learned counsel for the petitioner submits that page No. 7 contained a typographical error and it is inadvertently typed as *'Whenever, I objected to Ramesh alias Baba, Ramesh alias Baba has been threatening to kill me. Legal action should be taken against Ramesh alias Baba. I have written a statement for you. I have heard it and read it correctly. Sd/ ajay Kumar S/o Amrik Ram resident of Ahlupur Sd/- Jaspreet Kaur SI Suvidha Centre dated 10.05.2025.'* Bathinda' instead of *'Whenever, I objected to Ramesh alias Baba, Ramesh alias Baba has been threatening to kill me. Legal action should be taken against Ramesh alias Baba. I have written a statement for you. I have heard it and read it correct. Sd/ Rena Devi. The above*



*statement is verified by Sd/ Ajay Kumar S/o Amrik Ram resident of Ahlupur Sd/-Jaspreet Kaur SI Suvidha Centre Bathinda dated 10.05.2025."*

Keeping in view of submissions made by counsel for the petitioner and no objection given by learned State Counsel, the application is allowed and the above mentioned typographical mistake is corrected.

1. **Prayer**

This petition has been filed under Section 482 BNSS, 2023 for grant of anticipatory bail to the petitioner in case FIR No.62, dated 10.05.2025 under Sections 64(1), 140(3), 351(3) BNS, Police Station Maur, District Bathinda

2. Prosecution story, set up in the present case as per the version in the FIR reads as under :-

*'Statement of Reena Devi wife of Ajay Kumar, PH. No.82644-64841. Stated that I am resident of the above mentioned village. Seven years ago, I got married to ajay Kumar, a resident of Ahlupur. My husband Ajay Kumar and I work as labourers. On 14.04.2025, I, my husband Ajay Kumar, mother in-law sheela Devi, brother in-law Suraj Kumar etc. had gone back to work as it was the wheat season. We used to buy wheat straws and so on and after cleaning, we would light the fire. We had pitched a tent to stay near the Dana Mandi corner. On 17.04.2025, it must have been around 4:30 PM. I was going to get water with a bucket when Ramesh Ram alias Baba S/o Namdev Ram, who is from our village Ahlupur and is relative of my in-law, stopped his car Ritz No.PB-31-K-1918, Colour white. His window was also open. Then Ramesh Ram alias Baba pulled me into his car and threw me in it and took me to some unknown hotel whose name I do not know. Ramesh am alias Baba kept me*



*with him for 14 days. One day, ramesh alias Baba took me to a hotel in Mansa which I will tell you later. During these days, Ramesh alias Baba has been forcibly having sexual intercourse with me against my will. Whenever, I objected to Ramesh alias Baba, Ramesh alias Baba has been threatening to kill me. Legal action should be taken against Raemsh alias Baba. I have written a statement for you. I have heard it and read it correctly. Sd/ ajay Kumar S/o Amrik Ram resident of Ahlupur Sd/- Jaspreet Kaur SI Suvidha Centre Bathinda dated 10.05.2025."*

### **3. Contentions**

#### **On behalf of the petitioner**

Learned counsel for the petitioner has argued that the petitioner has been falsely implicated in the present case. He submits that the petitioner was not mentioned in the FIR and the FIR was lodged after an explained delay of 17 days from the date of occurrence. He further submits that there is no complaint regarding missing or kidnapping of the complainant, moreover, there is no direct evidence to connect the petitioner with the alleged offence.

Learned counsel for the petitioner undertakes that the petitioner is ready and willing to join the investigation and cooperate with the investigating officer.

Notice of motion.

#### **On behalf of the State**

Learned State Counsel appearing on advance notice on instructions from Investigating officer vehemently opposes the prayer for grant of concession of anticipatory bail stating that there are specific allegations against the petitioner that he was part of the



criminal conspiracy and for excavating the true facts, custodial interrogation of the petitioner is required.

4. **Analysis**

Be that as it may, after given a thoughtful consideration to the facts that the petitioner was not named in the FIR; there is unexplained delay of 17 days in lodging the FIR; no direct evidence was produced by learned State Counsel to connect the petitioner with the alleged offence, this Court finds no reason to deny the petitioner the concession of anticipatory bail, wherein the petitioner has bona fide intentions and is willing to join the investigation and cooperate for furtherance of the same so that the final report can be submitted by the Investigating Agency within the stipulated time period.

5. **Relief**

Hence, in view of the admitted set of circumstances before this Court, the petitioner is hereby directed to be released on anticipatory bail subject to him joining investigation and reporting to the Investigating Officer concerned within a period of one week from today, on furnishing of personal/surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioner shall also abide by the terms and conditions as envisaged under Section 482(2) of BNSS of which are reproduced below :-

*‘When the High Court or the Court of Session makes a direction under sub-section (1), it may include such conditions in such directions in the light of the facts of the particular case, as it may think fit, including-*

*(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;*



*(ii) a condition that the person 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;*

*(iii) a condition that the person shall not leave India without the previous permission of the Court;*

*(iv) such other condition as may be imposed under sub-section (3) of section 480, as if the bail were granted under that section.'*

However, it is made clear that in case the petitioner does not comply with the aforesaid direction of joining the investigation within one week, the order passed by this Court today shall automatically stand cancelled.

The petition in the aforesaid terms stand allowed.

**(SANDEEP MOUDGIL)**  
**JUDGE**

**18.06.2025**  
*anuradha*

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