



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

204

CRM-M-25026-2025(O&M)

Date of Decision: 28.05.2025

SHIVAM

...Petitioner

Versus

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MS. JUSTICE KIRTI SINGH

Present:- Mr. Chandra Mani Kumar, Advocate for the petitioner.

Ms. Aakanksha Gupta, AAG Punjab.

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.0162 dated 19.11.2024, under Sections 137(2) and 96 of BNS, registered at Police Station Haibowal, District Police Commissionerate Ludhiana, District Ludhiana.
2. This Court while issuing notice of motion on 08.05.2025 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.0162 dated 19.11.2024, under Sections 137(2) and 96 of BNS, registered at Police Station Haibowal, District Police Commissionerate Ludhiana, District Ludhiana.

2. Learned counsel for the petitioner submits that the petitioner has been falsely implicated on the statement of the father of the prosecutrix. It is submitted that the petitioner and the prosecutrix have solemnized their marriage on 17.02.2025, and in support thereof, reliance is placed on the marriage certificate annexed as Annexure P-3. Both parties are present in Court today and have admitted the factum of marriage. It is further submitted that the prosecutrix was major at the time of their marriage.

3. Notice of motion.

4. Ms. Guramrit Kaur, DAG, Punjab, waives service of notice on behalf of the respondent-State and seeks time to file reply.

5. List on 28.05.2025.

6. In the meantime, arrest of the petitioner shall remain stayed and 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 State counsel on instructions from investigating officer submits that in compliance of order dated 08.05.2025, the petitioner has joined the investigation and is not required for any further investigation.

4. Having considered the aforesaid facts and circumstances, the petition is allowed. Order dated 08.05.2025 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 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 (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.

28.05.2025
Kavita

(KIRTI SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No