2025:PHHC:095989

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Sr. No.211 **CRM-M-30935-2025 (O&M)**
Date of decision : 30.07.2025

Sarabjit Kaur and others ..... Petitioners

VERSUS

State of Punjab and another ..... Respondents

CORAM: HON'BLE MS. JUSTICE KIRTI SINGH

Present: Mr. Gautam Goyal, Advocate, for the petitioners.

Ms. Guramrit Kaur, DAG, Punjab.

Mr. Raj Kumar Arya, Advocate for the complainant.

*****

KIRTI SINGH, J. (Oral)

1. Apprehending arrest in FIR No.0039 dated 14.04.2025, under Sections 406 & 498-A IPC, registered at Police Station Sekhwan, Batala, Punjab, the petitioners have preferred this petition under Section 482 BNSS, 2023 for grant of pre-arrest bail.

2. Vide order dated 29.05.2025, the petitioners were directed to join investigation and the same is reproduced below:-

> *"Apprehending arrest in FIR No.0039 dated 14.04.2025, under Sections 406 & 498-A IPC, registered at Police Station Sekhwan, Batala, Punjab, the petitioners have preferred this petition under Section 482 BNSS, 2023 for grant of pre-arrest bail.*
>
> *Learned counsel for the petitioners inter alia submits that petitioners No.1, 2 and 3 are the mother-in-law, father-in-law and husband of the complainant and they have been falsely implicated in this case. He submits that the marriage between both the parties was solemnized on 06.02.2024 and the*

RAMANDEEP SINGH
2025.07.30 19:16
I attest to the accuracy and
integrity of this document

2025:PHHC:095989

complainant resided with petitioner No.3 for a short duration of one week and left the company of petitioner No.3 and went to her parental homeon 13.02.2024. It is further stated that a petition under Section 13-B of the Hindu Marriage Act for dissolution of the marriage by way of mutual consent has been filed by both the parties and the complainant had agreed to receive an amount of Rs.14 lakhs as permanent alimony out of which Rs.7 lakhs have already been paid to her.

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 18.07.2025

Upon oral request of learned counsel for the petitioners, the complainant-Sharanjit Kaur, wife of Jivanjot Singh resident of village Khanpur (current resident of village Rajada), Police Station Sekhawa Tehsil and District Gurdaspur, is impleaded as a party-respondent No.2.

Registry is directed to make the necessary corrections.

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

1) That the petitioners shall make themselves available for interrogation by a police officer as and when required to do so.

2) That the petitioners 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 petitioners 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.

RAMANDEEP SINGH
2025.07.30 19:16
I attest to the accuracy and
integrity of this document

2025:PHHC:095989

3. Learned State counsel on instructions from ASI-Paramjit Singh, submits that in compliance of order dated 29.05.2025, the petitioners have joined the investigation and are not required for any further investigation.

4. Having considered the aforesaid facts and circumstances, the petition is allowed. Order dated 29.05.2025 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(s) 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(s).

7. The accused-petitioner(s) 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(s) shall not leave India without prior permission of the Court.

9. The accused-petitioner(s) 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(s), in the event of violation of any term, such as absconding, non-cooperating during

RAMANDEEP SINGH
2025.07.30 19:16
I attest to the accuracy and
integrity of this document

2025:PHHC:095989

investigation, evasion, intimidation or inducement to witnesses with a view to influence outcome of the investigation or trial.

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

(KIRTI SINGH)
JUDGE

30.07.2025
Ramandeep Singh

Whether speaking / reasoned Yes/No
Whether Reportable Yes/No

RAMANDEEP SINGH
2025.07.30 19:16
I attest to the accuracy and
integrity of this document