



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-3739-2025
Decided on : 24.01.2025

Resham Singh

... Petitioner(s)

Versus

State of Punjab and others

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. P.P.S.PS Duggal, Advocate
for the petitioner(s).

Mr. Amandeep Singh, DAG, Punjab.

SANJAY VASHISTH, J. (Oral)

1. Instant petition has been filed under Section 528 of BNSS, 2023, *inter alia* seeking direction against the conducting of second inquiry by respondent No.5, regarding the same set of allegations, against the petitioner.

2. Earlier, petitioner had filed petition bearing No. CRM-M-63321-2024, titled as, "Resham Singh v. State of Punjab and others", whereby, he sought anticipatory bail from this High Court. Said petition was disposed of vide order dated 19.12.2024 (Annexure P-13) by the coordinate Bench of this Court, by observing as under:-

"1. Petitioner seeks blanket bail in three different complaints/inquiries with the following prayer clause:-

"First Petition under Section 528 of BNSS (482 CrPC) read with Section 482 of BNSS (438 CrPC), with a prayer, for passing any order, which this Hon'ble Bench deems fit and appropriate, with a prayer, directing the official respondents, to grant three weeks time by giving an advance notice, in case of registration of FIR, on the basis of inquiry report Annexure P-12 dated 09.08.2024, as per the application of respondent No.5; or registration of FIR on the basis of above stated inquiry report, by any member of family of respondent No.5.

In the meantime, the arrest of the petitioner may kindly be



stayed, or no coercive action be taken in view of above stated inquiry report, in the interest of justice.

Any other relief which this Hon'ble Court may deem fit and appropriate, may kindly be granted, to the petitioner, keeping in view of the totality of the circumstances.”

2. *State's counsel, on instructions, submits that the first complaint filed by Amarjit Kaur against the petitioner stands closed. Thereafter, Amarjit Kaur filed another complaint against the petitioner, which is pending before DSP(D), Sangrur and the petitioner is not appearing. The petitioner has also filed a complaint against said Amarjit Kaur, in which, the petitioner cannot seek any protection because he is a complainant therein. Thus, the petitioner needs protection only in one matter i.e. the complaint filed by Amarjit Kaur against the petitioner, which is pending before DSP (D), Sangrur.*

3. *Given above, the present petition is disposed of, with a direction that if after inquiry, the aforesaid complaint, which is pending before DSP(D), Sangrur, is culminated into registration of an FIR and the petitioner is likely to be arrested, in that case, the concerned investigator shall give three days prior notice to the petitioner. However, the petitioner shall join investigations as and when called upon. In case the petitioner is summoned and he fails to join the investigation, then this order shall automatically stand recalled under Section 403 BNSS, 2023. All pending applications, if any, stand disposed.”*

3. Faced with the situation that already the Coordinate Bench of this Court, in a petition filed for anticipatory bail, vide order dated 19.12.2024 (as reproduced above), has observed that in case, decision is taken to register FIR against the petitioner, and thereupon, petitioner is likely to be arrested, the concerned Investigating Officer shall give three days prior notice to the petitioner. Even, an observation in regard to the joining of investigation has also been made; counsel for the petitioner seeks withdrawal of present petition.

4. Dismissed as withdrawn.

(SANJAY VASHISTH)
JUDGE

January 24, 2025

J.Ram

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No