

2025:PHHC:047449



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

Sr. No.220

**CRM-M-16689-2025 (O&M)  
Date of decision : 07.04.2025**

Balwinder Kaur and another

..... Petitioners

VERSUS

State of Punjab and another

..... Respondents

**CORAM: HON'BLE MS. JUSTICE KIRTI SINGH**

Present: Mr. J.S. Sekhon, Advocate, for the petitioners.

Mr. R.S. Thind, DAG, Punjab.

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**KIRTI SINGH, J. (Oral)**

1. Apprehending arrest, the petitioners have filed this petition under Section 482 of Bhartiya Nagarik Suraksha Sanhita, 2023 (BNSS, 2023) for grant of anticipatory bail in case bearing FIR No.13 dated 10.03.2025, under Sections 85 and 316(2) of BNS, registered at Police Station Amir Khas, District Fazilka.

2. Vide order dated 26.03.2025, the arrest of petitioners was stayed and they were directed to join investigation, which reads as under:-

*'Apprehending arrest the petitioners have filed this petition under Section 482 of BNSS for grant of anticipatory bail in case bearing FIR No.13 dated 10.03.2025, under Sections 85 and 316(2) of BNS, registered at Police Station Amir Khas, District Fazilka.*

*2. Learned counsel for the petitioners submits that petitioner No.1 and petitioner No.2 are the mother-in-law and father-in-law of the complainant, aged 61 and 66 years, respectively. He contends that the petitioners have been falsely implicated in this case and that there is no evidence to substantiate the allegations made in the FIR. Furthermore, the petitioners have never interfered in the complainant's married life. Infact, it was the complainant who left the matrimonial home*

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*of her own accord, taking all her belongings, including the istridhan, with her.*

3. *Notice of motion.*

4. *Mr. Davinder Bir Singh, Sr. DAG, Punjab, waives service of notice on behalf of the respondent-State and seeks time to file reply.*

5. *List on 07.04.2025.*

6. *In the meantime, arrest of the petitioners shall remain stayed and they are directed to join investigation before the Investigating Agency/Officer. They shall abide by the following conditions as envisaged under Section 482(2) BNSS.:-*

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 of the case so as to dissuade him from disclosing such facts to the court or to any police officer.*

3) *That the petitioners shall not leave India without prior permission of the Court.*

3. Learned State counsel on instructions from ASI-Swarn Singh submits that in compliance of order dated 26.03.2025, 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 26.03.2025 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

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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 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**

**7.4.2025**

Ramandeep Singh

Whether speaking / reasoned

Yes/No

Whether Reportable

Yes/No