



CRM-M-18312-2026

-1-

2026:PHHC:073290



2026:PHHC:073290

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

203

**CRM-M-18312-2026
Date of Decision: 11.05.2026**

JINA AND ANOTHER

.....Petitioners

Versus

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MS. JUSTICE KIRTI SINGH

Present: Ms. Khushboo Sharma, Advocate
for the petitioners.

Mr. Yadwinder Singh, AAG, Punjab.

KIRTI SINGH, J. (ORAL)

1. Prayer in the present petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS')/438 of Cr.P.C., is for grant of anticipatory bail to the petitioners, in case FIR No.40 dated 20.04.2025 (Annexure P-1), under Sections 70, 127(4), 61(2) of BNS (corresponding Sections 376-D, 340, 120-B of IPC) and lateron added Sections 137(2), 87 of BNS vide rapat No.38 dated 18.06.2025 (corresponding Sections 363, 366 of IPC) and lateron deleted Sections 70 and 70(1) of BNS (corresponding Section 376D of IPC), registered at Police Station Dera Baba Nanak, Tehsil Dera Baba Nanak, District Gurdaspur.

2. Vide order dated 30.04.2026, the petitioners were directed to join the investigation. The said order is reproduced hereinafter:-

“Prayer in the present petition filed under Section 482 of BNSS, is for grant of anticipatory bail to the petitioners, in case FIR No.0040 dated 20.04.2025 under Sections 70, 127(4), 61(2) of BNS Act, 2023 (corresponding Sections 376D, 340, 120-B IPC) (Sections 137(2) and 87 of BNS added later on vide rapat No.0038 dated 18.06.2025 (Sections 363, 366 IPC) and [Section 70 and Section 70(1) of BNS deleted later on



(Section 376D IPC)], registered at Police Station Dera Baba Nanak, Tehsil Dera Baba Nanak, District Gurdaspur.

2. *This court on 21.04.2026, had passed the following order:*

“xxxxx

Learned counsel for the petitioners inter alia submits that the petitioners have been falsely implicated in the instant case because of them related to the family of the main accused Sawar Masih, with whom the complainant was in a live-in-relationship. The commission of no overt act or offence has been attributed to the petitioners, other than the baseless allegation that they have given beatings to the prosecutrix. It is also submitted that the similarly situated co-accused have already been granted bail by the learned Additional Sessions Judge, Gurdaspur on 18.08.2025 (Annexure P-3), by this Court in CRM-M-8617-2026 on 20.03.2026 (Annexure P-5) and in CRM-M-30070-2025 on 01.08.2025.

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 30.4.2026.

Meanwhile, no coercive steps shall be taken against the petitioners.”

3. *Learned counsel for the petitioners, while reiterating his submissions, as recorded hereinabove, submits that the petitioners are ready and willing to join investigation and cooperate.*

4. *Status report by way of an affidavit of Joga Singh, PPS, DSP, Sub Division, Dera Baba Nanak, Police District Batala filed by the learned State counsel is taken on record. Copy of the same has been furnished to the learned counsel for the petitioners.*

5. *Adjourned to 11.05.2026.*

6. *In the meantime, the petitioners 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.



7. *Needless to mention that the investigating agency/officer shall continue with the investigation of the case in usual manner."*

3. Learned State counsel on instructions from ASI Sukhdev Singh, submits that in compliance of order dated 30.04.2026, 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 30.04.2026 passed by this Court, is hereby made absolute, subject to the condition enumerated under Section 482(2) BNSS.

5. This order should not be treated as "blanket" order. It will not be read as 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. Liberty is reserved with the investigating agency/complainant to move to this Court for a direction under Section 483(3) of BNSS, 2023 (erstwhile Section 439(2) of Cr.P.C.), in the event of violation of any term, stipulated under Section 482(2) BNSS, or upon showing any other sufficient cause.

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

(KIRTI SINGH)
JUDGE

May 11, 2026

Ritika

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