



CRM-M-30525-2025 (O&M)

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

**CRM-M-30525-2025 (O&M)
Date of Decision: 04.07.2025**

Gurmail Singh

..... Petitioner

Versus

State of Haryana and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Jatinder Pal Singh, Advocate
for the petitioner

Mr. Vishal Kashyap, DAG, Haryana

Mr. Sonpreet Singh Brar, Legal Aid Counsel
for the complainant

JASGURPREET SINGH PURI, J. (ORAL)

1. The present petition has been filed under Section 482 of BNSS, 2023 for grant of anticipatory bail in FIR No.13 dated 07.03.2025 registered under sections 376(2)(n), 376(2)(f) and 506 IPC (Sections 323 and 342 IPC added later on) at Police Station Women Police Station Dabwali District Dabwali.

2. The FIR which has been attached by the petitioner in the present petition as Annexure P-1 is reproduced as under:-

“Statement of Anamika D/o Raj Kumar, resident of Ward No. 18, Jawahar Nagar, Mandi Dabwali, aged 20 years, Qualification: B.Com, Final, Mobile No.90340-79796. Stated that I am a resident of the above-mentioned address and a B.Com Final year student, studying at B.R. Ambedkar College. Gurmail, son of Jasvir Singh, is our neighbor and is also a teacher of



Commerce in our college. In the month of April 2024, he told me to meet him after class as he had to give me some notes and also assign some internal mark in the subject. On the teacher's request, I stayed back in the class. Once all the other students had left the classroom, he locked the door. When I tried to scream, he covered my mouth and then sexually exploited me forcibly, against my will. He then threatened me that if I disclosed the incident to anyone, he would eliminate me. He kept on establishing a physical relationship with me until 9th February 2025 after the class, by continuously threatening me. I remained silent out of fear. My mother noticed I was depressed and asked me the reason. I disclosed everything to her. Thereafter, my mother brought me to the Women Police Station, Dabwali. I want strict action to be taken against Teacher Gurmail and justice to be done to me. I have given any statement voluntarily, without any duress or pressure. Heard and found correct. Sd/- Anamika Recorded by Legal Aid Counsel Adv. Anusuiya Dated 07/03/2025 Attested by: Anjana, ASI."

3. Learned counsel appearing on behalf of the petitioner has submitted that it is a case where the complainant, who is of the age of about 20 years was a student of B.Com Final Year in B.R. Ambedkar College, Dabwali when she lodged an FIR against the petitioner who is the Teacher in that college and as per the allegations the petitioner had exercised his influence upon the students and she was sexually exploited by the petitioner. He further submitted that both the petitioners and complainant are in fact neighbours and the petitioner is a married man and the relationship between the parties if at all, was a consensual relationship and therefore, no such



offence has been committed by the petitioner because the petitioner and complainant were both major. He also submitted that even when the medical of the complainant was conducted the same was found to be negative and now after the lodging of the FIR the complainant has also got married and therefore, he may be considered for grant of anticipatory bail. He also submitted that there are various photographs of the petitioner and the complainant showing that they were in a consensual relationship with each other because both of them are looking happy and therefore, on that ground as well the petitioner deserves the concession of anticipatory bail.

4. On the other hand, Mr. Vishal Kashyap, learned Deputy Advocate General, Haryana while referring to the reply filed by the State has submitted that it is a case where the offence involved in the present case is not only Section 376(2)(n) IPC but also under Section 376(2)(f) IPC whereby the complainant was although major of the age of about 20 years but was a student of B.Com Final Year and the petitioner was her Teacher in the same college and therefore, the plea taken by learned counsel for the petitioner claiming to be having a consensual relationship with the complainant cannot become a ground for grant of anticipatory bail. He further submitted that it is not the case that the aforesaid act has been done on just one instance but as per the allegations contained in the FIR, it started in the month of April, 2024 and thereafter, as per the allegations the petitioner started sexually exploiting the complainant against her will and then kept on establishing physical relationship with her till 09.02.2025. He also submitted that although as per the medical report the same was negative and no semen was detected but at the same time, the medical was not



conducted immediately after the instance because it was a repeated action on the part of the petitioner as per the allegations which continued for about 10 months as per the FIR itself. He further submitted that considering the aforesaid serious allegations against the petitioner his custodial investigation is required for the purpose of elicitation of truth and therefore, has prayed for dismissal of the present petition for the grant of anticipatory bail.

5. Mr. Sonpreet Singh Brar, Legal Aid Counsel appearing on behalf of the complainant submitted that it is a case where the complainant was a student of B.Com Final Year in B.R. Ambedkar College, Dabwali and the petitioner although living in the same vicinity and is a married person of the age of 37 years exploited the complainant who was his student and this exploitation continued for about 10 months but the complainant could not report the same to anybody because of fear of the petitioner.

6. Learned counsel for the complainant further submitted that rather due to the aforesaid forceful sexual relationship between the petitioner and the complainant, the complainant became pregnant and the petitioner rather forcefully got the pregnancy terminated from City Diagnostic Laboratory, Dabwali and it was only when the mother of the complainant noticed that the complainant was depressed that the entire thing came to the light and she disclosed that she was sexually exploited by her own teacher.

7. Learned counsel for the complainant also submitted that the petitioner is in possession of various photographs and videos and he has strong apprehension that in case the petitioner is granted anticipatory bail then he may even further exploit the complainant and make those videos and photographs viral. He further submitted that after the registration of FIR now



even the complainant has got married and after the lodging of the FIR the petitioner had been contacting the husband of the complainant repeatedly and had also been threatening both of them in this regard. He further submitted on instruction that the petitioner has been threatening the complainant and her husband that their matrimonial life will be destroyed in case the complaint filed by the complainant is not withdrawn. He submitted that in view of the aforesaid facts and circumstances, the petitioner may not be granted anticipatory bail and the petition may be dismissed.

8. I have heard the learned counsels for the parties.

9. It is a case where as per the FIR the allegations were pertaining to sexual exploitation of the complainant who is stated to be a student of the petitioner. Although both the learned counsels for the petitioner and complainant have stated that the petitioner and the complainant were residing in a same vicinity but at the same time the fact that the complainant was a student of the petitioner which is not in dispute. The petitioner is stated to be a married person of the age of 37 years and as per learned counsel for the complainant out of the sexual relationship between the parties which according to the counsel for the petitioner was a consensual relationship, the complainant became pregnant and pregnancy was terminated. It has been specifically so pleaded by learned counsel for the complainant that after the registration of the FIR now the complainant has got married and even her husband was being threatened by the petitioner with regard to the withdrawal of the present complaint against him. Learned State counsel has also opposed the grant of anticipatory bail on the ground that in the present case for the purpose of elicitation of truth the custodial



investigation of the petitioner is required.

10. After hearing the learned counsels for the parties, this Court is of the view that considering the allegations contained in the FIR, the role attributed to the petitioner, the relationship of Teacher and Student between the petitioner and the complainant and the aforesaid facts and circumstances so disclosed by learned counsel for the parties, the petitioner does not deserve the concession of anticipatory bail.

11. Consequently, finding no merit in the present petition, the same is hereby dismissed.

12. Since the main case has been dismissed, pending miscellaneous application, if any, also stands disposed of.

13. However, anything observed hereinabove shall not be treated as an expression of opinion on merits of the case and is only meant for the purpose of decision of present petition.

04.07.2025

Bhumika

(JASGURPREET SINGH PURI)
JUDGE

1. Whether speaking/reasoned:	Yes/No
2. Whether reportable:	Yes/No