

2025.PHHC:076367



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

**CRM-M-32791-2025
DECIDED ON: 19.06.2025**

**ANMOL SINGH BHULLAR ALIAS ANMOLPREET SINGH
.....PETITIONER**

VERSUS

**STATE OF PUNJAB
.....RESPONDENT**

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. P.S. Dhaliwal, Advocate
for the petitioner.

SANDEEP MOUDGIL, J (ORAL)

1. Prayer

The jurisdiction of this Court has been invoked under Section 482 BNSS, 2023 for grant of anticipatory bail to the petitioner in FIR No.93 dated 04.05.2025 under Sections 64, 351 (2) BNS 2023 registered at Police Station Civil Lines Bathinda, District Bathinda.

2. Prosecution story setup in the present case as per the version in the FIR as under:-

“Statement of Ashvir Kaur daughter of Baldev Singh resident of Sivia, Bathinda, aged about 19 Years. Mobile No.9478439336. Stated that I am resident of above mentioned address and I am studying BSc. Agriculture in Baba Farid College Deon. Earlier to this I studied upto Metric at Krishan Vatika School Bathinda. At that time during my study Anmol Bhullar son of Jaswinder Singh resident of Village

Khemuana was also studying alongwith me in the same school. During the study I acquaintance with him. I studied in 11th and 12th from Rose Marry School Baluana. At that time I was coming for tuition at Ajit Road then Anmol Bhullar in order to meet me usually come to Ajit Road Bathinda. We oftenly talked with each other on phone. I am going in College Van from village for study. On dated 01.05.2025 when I after preparing for going to college was standing at Bus Stand of village for Bathinda then time about 08:10 AM Anmol Bhullar alongwith one unknown friend came on his Thar Vehicle bearing No.PB-35AM-5185. He said to me that I will drop him to you in the college. Then I sit with him in the vehicle. He instead of dropping me in the college brought me to Sky Height Hotel near Dadi-Poti Park Bathinda and he took me in the room No.101 at First Floor of Hotel and his friend came out from the college. During the entry in the room Anmol gave me a glass of water to drink and after taking water I become unconscious and Anmol Bhullar without my consent established physical relations with me and also threatened me if you told anything then I will kill you. After taking me from Hotel in the same vehicle dropped me at Baba Farid College Deon back and he ran away his vehicle towards Bathinda side. On the gate of the college my cousin brother Sewa Singh son of Nachhtar Singh met me and I by sitting with him in vehicle came back to my home village Sivia but due to threat I did not tell anything. Yesterday on 03.05.2025 by seeing my face said my mother asked me why you said. On asking by my mother I told all the things to her and my mother after consulting with my family got me admitted in Civil Hospital Bathinda where doctor examined me medically. Today my statement has been recorded. Legal action be taken against Anmol Bhullar for establishing physical relations without my consent.”

3. **Contention**

On behalf of the petitioner

Learned counsel for the petitioner respectfully submits that the petitioner has been falsely implicated in the present case. It is submitted that a bare

reading of the FIR reveals that the petitioner and the prosecutrix were well acquainted with each other, having studied together at Krishna Vatika School up to the 10th standard. The prosecutrix has herself admitted in the FIR that she used to frequently meet the petitioner at Ajit Road, Bathinda, and that they were in regular telephonic contact.

It is contended that the entire case revolves around the alleged incident of 01.05.2025, when both the petitioner and the prosecutrix met at the latter's own instance. The chat conversations, annexed herewith as Annexure P-1, clearly indicate that it was the prosecutrix who invited the petitioner to her village, shared her live location, suggested the attire he should wear, and voluntarily accompanied him to the hotel. These facts categorically belie the allegation that the petitioner took the prosecutrix to the hotel under the pretext of dropping her at college. The prior planning and mutual communication between the parties clearly negate any element of force, coercion, or deceit.

Learned counsel for the petitioner undertakes on behalf of the petitioner that he is ready and willing to join the investigation.

Notice of motion.

On behalf of the State/complainant

On the asking of Court, Mr. Sandeep Singh Guru, AAG Punjab, accepts notice on behalf of respondent/State, whereas Mr. Prince Goyal, Advocate has put in appearance on behalf of the complainant and filed his memorandum of appearance, which is taken on record.

Learned State counsel assisted by learned counsel for the complainant, opposes the grant of anticipatory bail, relying on the serious nature of the allegations and the medical examination of the prosecutrix conducted on

03.05.2025 (Annexure P-2). It is submitted that custodial interrogation may be necessary to ascertain the truth and to complete the investigation effectively.

4. **Analysis**

The prosecutrix, aged about 19 years, in her statement, has alleged that she was taken to a hotel room by the petitioner under the pretext of dropping her to college, where she was administered some substance in water and thereafter sexually assaulted without her consent. However, it is not disputed that the petitioner and the prosecutrix were previously known to each other and had been in regular telephonic contact. The chats exchanged between the petitioner and the prosecutrix clearly establish prior planning and mutual agreement to meet and stay together, thereby negating any suggestion of coercion or deceit. Furthermore, both individuals are majors and capable of taking independent decisions. The petitioner has no criminal antecedents and undertakes to cooperate fully with the ongoing investigation. Furthermore, there is an unexplained delay of two days in reporting the matter to the police, which raises some doubts regarding the immediate apprehension of threat or coercion.

Without commenting on the merits of the case and keeping in view the fact that the petitioner in para 10 of the petition has undertaken to join and cooperate with the investigation, I am of the considered opinion that the custodial interrogation of the petitioner may not be necessary at this stage.

5. **Relief:-**

Hence, the petitioner is directed to be released on anticipatory bail subject to his joining investigation with the Investigating Officer concerned within a period of one week from today, on furnishing of personal/surety bonds to his satisfaction. The petitioner shall also abide by the terms and conditions as envisaged under Section 482(2) of BNSS, which are reproduced below:-

‘When the High Court or the Court of Session makes a direction under sub-section (1), it may include such conditions in such directions in the light of the facts of the particular case, as it may think fit, including-

(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;

(ii) a condition that the person 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;

(iii) a condition that the person shall not leave India without the previous permission of the Court;

(iv) such other condition as may be imposed under sub-section (3) of section 480, as if the bail were granted under that section.’

However, it is made clear that in case the petitioner does not comply with the aforesaid direction of joining the investigation within a period of one week, the order passed by this Court today shall automatically stands cancelled.

In the aforesaid terms, the present petition stands allowed.

(SANDEEP MOUDGIL)
JUDGE

19.06.2025

Meenu

Whether speaking/reasoned: Yes/No

Whether reportable : Yes/No