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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-39259-2025

Date of decision: 03.11.2025

Gurmukh Singh Alias Babu

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MRS. JUSTICE **AMARJOT BHATTI**

Present: Mr. Ravi Chadda, Advocate with
Mr. Rohit Duggal, Advocate
for the petitioner.

Ms. Amrit Kaur Mahir, AAG, Punjab.

Ms. Ashu Rana, Advocate and
Mr. Mitul Singh Rana, Advocate
for the complainant.

AMARJOT BHATTI, J (Oral):

Petitioner has filed petition under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023 for grant of regular bail in FIR No.300,
dated 27.12.2024, under Section 67(A) of Information Technology Act,
2000 read with Section 77 of BNS, 2023 (corresponding to Section 354(C)
of IPC and Section 61(2) of BNS, 2023 (Corresponding to Section 120-B
of IPC), registered at Police Station Tanda, Hoshiarpur, Punjab (Annexure
P-1) which has been wrongly dismissed vide order dated 05.07.2025
(Annexure P-5) passed by learned Additional Sessions Judge, Hoshiarpur.

2. As per the facts of the case, petitioner 'GK' gave her statement
that her marriage was solemnized with Kaka Singh in the year 2009. Out of
this wedlock, she gave birth to a daughter. In 2010, Kaka Singh went to
Italy and did not return back. Her parental family and in-laws family
agreed to perform her marriage with Sukhwinder Singh in the year 2015.



She along with her daughter and husband Sukhwinder Singh was residing at village Bains Awana. In the year 2019, Sukhwinder Singh went to USA and could not return back being non-permanent resident of USA. In the year 2019, Manpreet Kaur was working as her maid servant. She prepared obscene video while she was intimate with her husband. When she came to know about the said video, Manpreet Kaur assured that it has been deleted. She was turned out of the job. During Panchayat elections, she contested for Member Panchayat. Amrik Singh, Balwinder Singh alias Nikka and Manpreet Kaur came to her and insisted to contest elections from their party, but she refused. On this, Manpreet Kaur, in connivance with Amrik Singh, Balwinder Singh alias Nikka, Pawanpreet Singh, Bholi and some unidentified persons circulated the obscene video prepared in the year 2019, thus outraged her modesty.

3. Learned counsel for the petitioner argued that petitioner has not committed any offence. He was not named in the FIR. Later on, supplementary statement of complainant was recorded and he was nominated. Petitioner is a USA citizen. He has nothing to do with the complainant. He is roped in this case being husband of co-accused Bholi. In fact present FIR, is politically motivated. He is behind the bars since 05.06.2025. He is ready to abide by the terms and conditions of bail order.

4. Bail petition is opposed by learned counsel representing State assisted by learned counsel for complainant. It is pointed out that there are specific serious allegations against the petitioner and other co-accused. The obscene video was circulated to outrage modesty of complainant. Present petitioner was named in supplementary statement of the complainant and regarding this, there is DDR No.28 dated 13.01.2025. Other co-accused Balwinder Singh @ Nikka, Amrik Singh, Pawanpreet Singh @ Lali and



Hoshiarpur and they had joined the investigation. After completion of investigation, challan was presented on 05.08.2025. As per status report, charges were yet to be framed.

5. I have considered the arguments and have gone through the record as referred above. Present petitioner was named as accused in the supplementary statement given by the complainant. The incident is pertaining to the year 2019, when main accused Manpreet Kaur had prepared obscene video which was circulated in the year 2024. As per the copy of passport Annexure P-3, present petitioner is citizen of United States of America. At present he is in judicial custody. As per custody certificate, he was sent in judicial lockup on 06.06.2025. As per record other co-accused Davinder Kaur and Kamaljit Kaur have been granted concession of anticipatory bail whereas Manpreet Kaur @ Preeti has been granted bail by Supreme Court of India. Present petitioner has already joined the investigation and he is not required for any other purpose. Trial in this case may take long time. Therefore, without going on merits of the case, regular bail petition filed by the petitioner-Gurmukh Singh alias Babu is allowed. He is ordered to be released on bail to the satisfaction of trial Court/Duty Judge on furnishing requisite bail bonds and surety bonds with further condition that petitioner will surrender his passport before the trial Court. In case, the petitioner wants to go abroad, he is at liberty to file application seeking permission to go abroad.

(AMARJOT BHATTI)
JUDGE

03.11.2025
monika

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