



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-46700 of 2025(O&M)

Date of Order:17.09.2025

Jaspal Singh

..Petitioner

Versus

State of Punjab

..Respondent

CORAM: HON'BLE MS. JUSTICE SHALINI SINGH NAGPAL

Present: Mr. Manu Loona, Advocate
for the petitioner.

Mr. Kunwarbir Singh, AAG, Punjab.

SHALINI SINGH NAGPAL, JUDGE

1. Petitioner seeks anticipatory bail in case vide FIR No.95, dated 25.05.2024, under Sections 363, 366-A of Indian Penal Code (now Sections 137(2), 96 of Bhartiya Nyaya Sanhita (BNS), 2023), Police Station Sadar Fazilka. This is his first petition for anticipatory bail.
2. While issuing notice of motion on 26.08.2025, the following order was passed:-

“ Petitioner seeks anticipatory bail in FIR No. 95 dated 25.05.2024 under Sections 363, 366-A of Indian Penal Code (now Sections 137(2), 96 Bharatiya Nyaya Sanhita, 2023) registered at Police Station Sadar Fazilka. This is his first application for anticipatory bail.

Learned counsel for the petitioner submits that the age of victim, at the time of alleged commission of offence was 16 years 10 months; that there was delay of 07 days in registration of FIR. He further submits that petitioner and prosecutrix jointly filed a criminal writ petition in this Court seeking protection of their life and



liberty, though the same was dismissed as withdrawn vide order dated 08.01.2025 (Annexure P-2). Learned counsel next submits that on 16.07.2025, petitioner had performed marriage with the prosecutrix and both are now living together as husband and wife. It was, therefore, a fit case for grant of anticipatory bail to the petitioner.

Notice of motion for 17.09.2025.

Mr. Hardeep Singh Wadhwa, DAG Punjab, has advance notice of the petition and waives service.

Status report in the matter be filed on the date already fixed.

In the meantime, in the event of arrest, the petitioner shall be released on the interim bail subject to his furnishing personal and surety bonds to the satisfaction of the Arresting/Investigating Officer. Petitioner shall join investigation within a week and as and when called upon to do so and shall abide by the conditions as envisaged under Section 482(2) of Bharatiya Nagarik Suraksha Sanhita, 2023.”

3. Learned State counsel has filed status report by way of affidavit of Deputy Superintendent of Police, Homicide and Forensic Cum sub Division Fazilka, District Fazilka, dated 16.09.2025. He submits that statement of the victim under Section 183 of Bhartiya Nagarik Suraksha Sanhita, 2023 was recorded before learned JMIC, Fazilka, on 20.07.2025, in which she stated that after attaining majority, she had solemnized marriage with petitioner. She further stated that prior to her marriage, she never had physical relations with petitioner.

4. Learned State counsel, on instructions from ASI Ramparkash submits that petitioner had joined investigation and further custodial



interrogation of the petitioner is not required.

5. Considering the entire facts and circumstances of the case, as enumerated above, but without commenting on merits, order dated 26.08.2025, granting interim anticipatory bail to the petitioner is made absolute, subject to conditions laid down in Section 482(2) Bhartiya Nagarik Suraksha Sanhita, 2023.

6. All the pending miscellaneous applications, if any, stand disposed of.

(SHALINI SINGH NAGPAL)
JUDGE

17th September, 2025
nt

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