



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

205

**CRM-M-9050-2026
Date of Decision:07.04.2026**

PARWINDER SINGH**.....PETITIONER****VS****STATE OF PUNJAB****.....RESPONDENT****CORAM: HON'BLE MS. JUSTICE NEERJA K. KALSON**

Present:- Mr. Omesh Garg, Advocate and
Mr. Sunny Sagar, Advocate
for the petitioner.

Mr. Gorav Kathuria, DAG, Punjab.

Mr. B.S. Bhalla, Advocate
for the complainant.

NEERJA K. KALSON, J.

1. The present petition has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 seeking grant of anticipatory bail to the petitioner in case bearing FIR No. 027 dated 21.01.2026, under Sections 308(2) and 78 of the Bharatiya Nyaya Sanhita, 2023, registered at Police Station Machhiwara, District Ludhiana, Punjab.
2. Briefly, the case of the prosecution, as reflected from the contents of the FIR and the record, is that the complainant, Hardeep Singh, moved an application before the Senior Superintendent of Police, Khanna, alleging that the petitioner, Parwinder Singh, had been harassing and blackmailing the prosecutrix, who has been residing in the United Kingdom for the past about one and a half years. It is alleged that the petitioner used to send abusive and objectionable messages, extend threats to kill her, and continuously harass her



despite her refusal to marry him. It is further alleged that despite the petitioner having shifted from Machhiwara Sahib, he continued his acts, due to which the prosecutrix was compelled to leave her employment, thereby affecting her livelihood. The complainant was regularly informed about the said acts, and it is also alleged that the family members of the petitioner supported his conduct and refused to desist when approached.

3. Learned counsel for the petitioner *inter alia* contends that the petitioner has been falsely implicated in the present FIR, which is stated to be false, frivolous, concocted, fabricated and far from the truth. It is submitted that the petitioner and the prosecutrix were in a consensual relationship and that the families of both parties had initially agreed to their marriage, which was also finalised, and shagun had been given. It is further submitted that, however, due to certain family differences and misunderstandings, the relationship was called off without proper communication with the petitioner. It is also contended that the petitioner's family later came to know that the prosecutrix had already contracted marriage with Harpreet Singh on 13.02.2022, which fact was allegedly concealed from the petitioner and his family, and that thereafter, the prosecutrix and her husband had gone abroad on a spouse visa. It is thus argued that the complainant has deliberately exaggerated and fabricated the facts so as to give a criminal colour to what is essentially a personal and civil dispute arising out of a broken relationship and engagement.

4. *Per contra*, learned State counsel along with learned counsel for the complainant have opposed the present petition and submitted that during the course of investigation, substantial incriminating material has come on record. It is contended that the son of the complainant produced a pen drive



blackmail and use of abusive language towards the prosecutrix. It is further submitted that WhatsApp messages placed on record clearly demonstrate that the petitioner had been threatening the prosecutrix to send money and was blackmailing her by threatening to make her videos viral in case of non-payment, thereby subjecting her to intimidation and mental harassment. It is also contended that after refusal of marriage by the prosecutrix, the petitioner continued to harass, blackmail and threaten her by sending abusive and filthy messages and by extending threats to kill her, even while she was residing in the United Kingdom, thereby seriously affecting her daily life.

5. It is further submitted that custodial interrogation of the petitioner is necessary to recover and examine the mobile phone(s), SIM card(s), social media account(s) and other electronic device(s) used in the commission of the offence, and to verify chats and other digital material so as to ascertain the complete manner in which the petitioner blackmailed and threatened the prosecutrix. It is lastly submitted that the petitioner has not joined the investigation despite repeated notices, and that the investigation is still pending.

6. I have heard learned counsel for the rival parties and have gone through the available record of the case.

7. This Court deems it apposite to observe, at the outset, that the jurisdiction vested under Section 438 Cr.P.C/Section 482 BNSS is discretionary and is to be exercised with exception, particularly in cases involving grave and serious offences. The Hon'ble Supreme Court, in ***Gurbaksh Singh Sibbia Vs. State of Punjab (1980) 2 SCC 565***, while delineating the controversy of anticipatory bail, emphasized that it is not to be granted as a matter of concern and that the Court must consider various

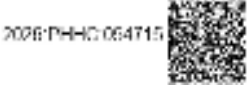


the petitioner and the possibility of fleeing from justice or tampering with the evidence.

8. The Hon'ble Supreme Court, in State rep. by ***CBI v. Anil Sharma, (1997) 7 SCC 187***, observed that custodial interrogation is qualitatively more elicitation-oriented and often indispensable for a thorough and effective investigation, as compared to questioning a person who is armed with a protective order of anticipatory bail. The investigating agency must be afforded a free hand to unearth the truth, which may necessitate sustained and custodial questioning of the petitioner to ascertain the full facts and circumstances surrounding the alleged crime. Also keeping in view the serious nature of the crime, the possibility of petitioner tampering with evidence or absconding from the course of justice is significantly high, which would be highly prejudicial to a fair trial. The Hon'ble Supreme Court, in ***Jai Prakash Singh v. State of Bihar, (2014) SCC 379***, emphasised the need for caution in granting anticipatory bail in serious offences, especially where there is a likelihood of the petitioner tampering with evidence or influencing witnesses.

9. At the stage of anticipatory bail, the Court is not expected to conduct a meticulous examination of the evidence or to record findings on the truthfulness of the allegations.

10. As per the allegations and the material placed on record, this Court finds that serious and specific accusations have been levelled against the petitioner regarding continuous harassment, blackmail and criminal intimidation of the prosecutrix, including threats to make her private content viral and to cause harm to her. The record further reflects that such acts were allegedly carried out over a period of time, even while the prosecutrix was residing abroad, thereby prima facie indicating a pattern of coercive and intimidatory conduct. The nature of allegations, coupled with the electronic



evidence to be collected during investigation, cannot be said to be vague or bald at this stage.

11. In these circumstances, this Court finds that the learned Additional Sessions Judge, Ludhiana was justified in declining the concession of anticipatory bail to the petitioner. No illegality, perversity or jurisdictional error is shown in the impugned order warranting interference by this Court. Accordingly, the present petition stands dismissed.

(NEERJA K. KALSON)
JUDGE

07.04.2026
pry

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No