



IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

(104)

CRM-M-18426-2025
Date of Decision: 02.04.2026

JASWINDER SINGH @ JASSI

.....Petitioner

Versus

STATE OF PUNJAB AND OTHERS

.....Respondents

CORAM: HON'BLE MS. JUSTICE KIRTI SINGH

Present: Mr. R.D. Rattewal, Advocate
for the petitioner.

Ms. Guramrit Kaur, DAG, Punjab.

Mr. G.S. Grewal, Advocate
for the complainant.

KIRTI SINGH, J. (ORAL)

1. Prayer in the present petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023, is for grant of anticipatory bail to the petitioner in case FIR No.65 dated 22.12.2024 (Annexure P-1), under Sections 137(2), 96 of BNS (lateron added Section 64 of BNS and Section 6 of POCSO Act), registered at Police Station Amir Khas, District Fazilka, Punjab.
2. The contents of FIR are reproduced hereinafter.

“Statement of Gurmeet Lal, son of Amar Chand, grandson of Gyan Chand, resident of Village Sulla, aged about 45 years old, Mobile No. 94630-4xxxx. I am resident of the above-mentioned address and I am an agriculturist am married to xxxx, daughter of Sohan Lal, resident of Chak Jamalgarh, approximately 23 years ago. We have three children the elder daughter, xxxx is 22 years old, the youngest daughter, xxxx is about 17 and a half years old, and the youngest is son, Avish Kamboj who is about 14 years old. My daughter xxxx was studying in 10+2 class at Pansia School, Jalalabad, and participated in sports games, including netball. On December 17,2024. xxxx went to Barnala for a sports camp. After attending the camp for about three days, she was returning home on 20.12.2024. She reached the Toll Plaza, Mahmujoia, From there, she called me from someone phone, asking me to come and pick her up. When I went to the toll plaza to pick her, I couldn't find her. Upon inquiring, I was informed that Rahul, son of Bhagwan Das, resident of Ghulla village, had misled her with false promises of marriage and taken her away. From my investigation, I suspect



that Rahul, with the collusion of his family, has taken her somewhere with the involvement of his grandmother, Mahinder Bai, wife of Ram Chand, Bhagwan Das's son-in-law, Sukhchain Kapoor, Sukhchain Kapoor's wife, Dimple, daughter of Bhagwan Das, and Jaswinder Singh alias Jassi, son of Malta Singh, resident of Beri Wala Khuh. Legal action should be taken against these individuals. I have given you my statement. It is true and correct. Signature (English): Gurmeet Lal (The aforementioned) Attestation: Sd/- Ravipal 1911/Ferozepur, Police Station Amir Khas, Dated 22-12-2024."

3. Learned counsel for the petitioner submits that the petitioner, aged 24 years, has been falsely implicated in the present FIR on the statement of the father of the prosecutrix, alleging that the petitioner had aided the main accused in enticing away his daughter on the false promise of marriage. It is submitted that the prosecutrix-respondent No.3 and the main accused, Rahul, were well-acquainted with each other and intended to marry, but faced opposition from her parents. Infact, apprehending threat from her family, respondent No.3 along with co-accused Rahul had approached the Court seeking protection by way of CRWP-12542 of 2024. Learned counsel contends that other than the sweeping allegation leveled against the petitioner, there is no material on record that points towards his involvement in the alleged occurrence.

4. *Per contra*, learned State counsel as well as learned counsel for the complainant have vehemently opposed the submissions made by the learned counsel for the petitioner and submit that there are specific and serious allegations against the petitioner. They state that the petitioner was actively involved in the commission of the offence.

5. Learned State counsel while placing reliance on the status report dated 24.04.2025 submits that during the course of investigation, it was found that the accused persons, in furtherance of their common intention, enticed the prosecutrix on the assurance that accused Rahul would marry her, and on such false pretext of marriage, accused Rahul established



physical relations with her. Learned State counsel further submits that the statement of the prosecutrix was recorded under Section 183 BNSS, wherein, she had supported the case of the prosecution and leveled specific allegations against the petitioner. Moreover, while the main accused namely Rahul has been arrested on 31.03.2026, proclamation proceedings have been initiated against the petitioner on 04.02.2026, due to his constant evasion from the process of law. It is further highlighted that subsequent to the commission of the alleged occurrence leading to the registration of the present FIR, the main accused and the petitioner had committed a similar offence with the same victim, leading to the lodging of another case, viz., FIR No.16 dated 20.03.2025 under Sections 137(2), 62, 126(2), 115(2), 191(3), 190 of BNS and Sections 25, 27, 54, 59 of the Arms Act. With respect to the protection petition filed by the main accused and the prosecutrix, it is submitted that therein, the prosecutrix was ordered to be sent to Nari Niketan, she being a minor. Thereafter, the said petition was ultimately dismissed on 29.01.2025. Accordingly, learned State counsel contends that the petitioner does not deserve to be granted the concession of anticipatory bail by this Court.

6. Learned counsel for the complainant has reiterated the averments made by the learned State counsel, and submits that the petitioner does not deserve the concession of anticipatory bail.

7. Heard the rival submissions made by learned counsel for the parties.

8. *Prima facie*, specific allegations of aiding the co-accused Rahul in enticing the prosecutrix on the false pretext of marriage, have been levelled against the petitioner. The said Rahul has also been accused of



committing penetrative sexual assault on the prosecutrix. The statement of the prosecutrix recorded under Section 183 BNSS is also against the petitioner. Moreover, not only have proclamation proceedings been initiated against the petitioner in the present case, but he has also been accused of committing a similar offence with the same victim, for which, another FIR has been registered against him.

9. In view of the foregoing discussion, this Court is not inclined to grant the concession of anticipatory bail to the petitioner. However, he is directed to appear before the learned trial Court and file an appropriate bail petition, which the learned trial Court is directed to decide on the same day.

10. Accordingly, the instant petition is disposed of in the aforesaid terms.

11. Needless to say that nothing observed hereinabove shall be construed as an expression on the merits of the case.

12. Pending miscellaneous application(s), if any, also stands disposed of.

(KIRTI SINGH)
JUDGE

April 02, 2026
Ritika

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