2026:PHHC:063825

IN THE PUNJAB AND HARYANA HIGH COURT AT CHANDIGARH

CRM-M-20871-2026 (O&M)
Reserved on: 23.04.2026
Pronounced on: 27.04.2026
Uploaded on: 27.04.2026

Baljit Singh @ Malkeet Singh

…Petitioner

V/S

State of Punjab …Respondent

CORAM: HON'BLE MS. JUSTICE SHALINI SINGH NAGPAL

Present: Ms. Navjot Kaur, Advocate for
Mr. B.S. Bhalla, Advocate for the petitioner.

Mr. Sukhbeer Singh, DAG, Punjab.

Mr. Sarabjit Singh Khaira, Advocate for the complainant.

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SHALINI SINGH NAGPAL, J.

1. Petitioner seeks regular bail in case arising out of FIR No.1 dated 19.01.2026, under Sections 77, 351 of BNS, Sections 66-E, 67, 67A of IT Act, Police Station Cyber Crime, Gurdaspur. This is the first petition seeking regular bail

2. Prosecutrix reported to the police that she was a home maker and was married with Gurtek Singh about 15 years. Out of the wedlock, she had two children, a daughter and a son. She was living peacefully with her husband and children. Baljit Singh son of Nirmal Singh resident of village Dhagana, Boparai, District Tarn Taran, who was brother-in-law of her elder sister Rajwinder Kaur became acquainted with her. They started meeting. Baljit Singh took objectionable pictures with her and made videos. When she came to

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know of it and confronted him, he called her to his house and threatened to share the videos and pictures on social media, if she dared to tell anyone. In January, 2025 Baljit Singh shared her objectionable videos and pictures on his Instagram id. She informed her family members and moved an application to Cyber Crime Police Station, Gurdaspur. Baljit Singh admitted his mistake and deleted those photos and videos from social media upon which she did not pursue the complaint further. However, he did not stop his activities and again shared objectionable videos and pictures on 16.01.2026 on Instagram. He had defamed and threatened her. Baljit's family wanted to marry him with her but her family did not accept the proposal. Due to that grudge, he defamed her by sharing her objectionable pictures and videos.

3. Learned counsel for the petitioner submits that petitioner and prosecutrix were in relationship but no pictures were shared/posted by the petitioner on social media. The only picture posted was of the petitioner and prosecutrix having tea together. Although, prosecutrix was married and had two children, she was interested in living with the petitioner after divorcing her husband. Prosecutrix was major and was well aware of the consequences of her acts. It was urged that the pictures allegedly posted were neither explicit nor pertained to private areas nor could be termed lascivious. Hence, essential ingredients of the offences under Sections 354(C),

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366(E), 367 and 367A of the IT Act were not even made out. Petitioner was behind bars w.e.f. 11.03.2026. Mere pendency of cases against him could not be a ground to refuse bail. Therefore, the petitioner deserved to be enlarged on regular bail.

4. Learned State counsel, assisted by learned counsel for the complainant has opposed the prayer for grant of regular bail, arguing that there were four other FIRs registered against the petitioner, one of which was registered on complaint of husband of the complainant. Petitioner, by posting objectionable pictures of the complainant on social media sabotaged her married life and was not entitled to bail.

5. Investigation is complete. Petitioner is behind bars w.e.f. 11.03.2024. Conclusion of trial is likely to take some time. Mere pendency of criminal cases cannot itself be a ground to refuse bail. In the facts circumstances of the case, but without meaning to express any opinion on merits, the petition is allowed. Petitioner-Baljit Singh @ Malkeet Singh, is ordered to be released on regular bail on his furnishing bail bonds and surety bonds to the satisfaction of trial Court/Duty Magistrate concerned.

(SHALINI SINGH NAGPAL)
JUDGE

Reserved on: 23.04.2026
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Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No

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