



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

(102)

CRM-M-23744-2026 (O&M)

Date of decision: 29.04.2026**GURTEJ SINGH****...Petitioner****Versus****STATE OF PUNJAB AND ANOTHER****...Respondents****CORAM:- HON'BLE MS. JUSTICE NEERJA K. KALSON**

Present:- Mr. Hardial Singh Baath, Advocate
for the petitioner.

Mr. Gorav Kathuria, DAG, Punjab.

NEERJA K. KALSON, J. (Oral)

1. This second petition has been filed under Section 482 of BNSS, 2023 (corresponding Section 438 Cr.P.C.) for grant of anticipatory bail to the petitioner in FIR No.32, dated 25.02.2026, under Sections 75, 74, 115 (2), 3(5) of BNS, 2023 (corresponding Section 354-A, 354, 321 and 34 IPC) and Section 8 of the POCSO Act, 2012 (as amended in 2019 registered at Police Station Bhagta Bhaika, District Bathinda.

2. It is not in dispute that an earlier petition seeking identical relief was dismissed by this Court vide order dated 02.04.2026, after considering the nature of allegations, the medical evidence on record and the stage of investigation.

3. Learned counsel for the petitioner, in the present second petition,



has attempted to re-agitate the matter by contending that the prosecutrix was in a consensual relationship with co-accused Manpreet for the last more than two years and both had decided to marry each other. It is argued that since both belonged to the same village and were studying together, their relationship was kept secret from the family members of the prosecutrix. It is further submitted that on the day of occurrence, both of them had left their respective homes to solemnize marriage against the wishes of the parents of the prosecutrix, who are stated to be orthodox in their outlook. According to the petitioner, upon being apprehended, a false story was concocted leading to the registration of the present FIR.

4. *Per contra*, learned State counsel has opposed the prayer and submits that the allegations levelled in the FIR are grave in nature. It is further submitted that the prosecutrix is a minor and the allegations disclose forcible abduction and assault. The medico-legal report reflects injuries on the person of the prosecutrix, lending prima facie support to the prosecution version. It is also contended that the investigation is still at a nascent stage and custodial interrogation of the petitioner may be required.

5. I have heard learned counsel for the parties and have perused the record.

6. At the outset, it is to be noted that the earlier petition for anticipatory bail filed by the petitioner has already been dismissed on merits by this Court. The present petition has been filed within a short span of about 20 days of the said dismissal. It is well settled that successive petitions for anticipatory bail are not maintainable in the absence of any substantial change



in circumstances.

7. A perusal of the record, including the earlier order dated 02.04.2026, indicates that the allegations against the petitioner are serious in nature. The prosecutrix has attributed specific roles to the accused persons and the medico-legal report reflects multiple injuries on her person, which cannot be brushed aside at this stage. The existence of such injuries lends *prima facie* support to the allegations and cannot be ignored while considering the prayer for anticipatory bail.

8. The plea sought to be raised on behalf of the petitioner regarding a consensual relationship or intention to marry, even if taken at face value, cannot be examined in depth at this stage, particularly when the prosecutrix is stated to be a minor. Such a contention does not, by itself, constitute a ground to revisit the earlier order passed by this Court declining anticipatory bail as no new material or change in circumstances has been brought on record which would justify reconsideration of the matter. The present petition is nothing but an attempt to re-argue the case on grounds which were available at the time of filing of the earlier petition.

9. The discretionary relief of anticipatory bail cannot be permitted to be invoked repeatedly on identical grounds, as the same would amount to abuse of the process of law.

10. This Court further observes that the present petition is a successive attempt, filed within a short span of time after dismissal of the earlier petition, without there being any change in circumstances. Such repeated invocation of jurisdiction results in unnecessary consumption of

2026:PHHC:066200



valuable judicial time. Though this Court is of the view that such conduct warrants imposition of costs, however, no such order is being passed at this stage.

- 11. In view of the above, this Court does not find any ground to grant anticipatory bail to the petitioner.
- 12. Accordingly, the present petition is dismissed.
- 13. Pending application(s), if any, shall also stand disposed of.

29.04.2026
atul

(NEERJA K. KALSON)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No