



IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

(109)

CRM-M-28782-2026 (O&M)
Date of Decision: 21.05.2026

GURDEEP SINGH @ MADHA

.....Petitioner

Versus

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MS. JUSTICE KIRTI SINGH

Present: Mr. Kulwinder Singh, Advocate and
Ms. Srishti Shukla, Advocate for the petitioner(s).

Ms. Guramrit Kaur, DAG, Punjab.

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.1 dated 02.01.2025, under Sections 64, 115(2), 3(5) of BNS (Sections 376, 323, 34 IPC), registered at Police Station Jaurkian, District Mansa.

2. The contents of FIR are reproduced hereinafter:-

“Copy of statement of xxxx wife of Rajinder Singh resident of H.No.14/2873, Kothe Rasulpur, Barnala aged about 41 years, Mobile No.90419-xxxx. Stated that I am resident of above mentioned address. I and xxxx wife of Jai Pal Goyal resident of Rampura Phool were working in Thread Factory for the last two years, where xxxx had become my "Dharam" sister. On 1.1.2025, I and xxxxx had come to pay obeisance at the Sulisar Gurudwara Sahib where I received a call from Leela Singh resident of Kusla, who said that you should come to my house and I will drop you back home in my car. Then at around 7.15 p.m. I and xxxxx reached the bus stand Fatta Maloka, where Leela Singh and Madha Singh had also come. After which Leela Singh took us with him to his house in village Kusla. Where Leela Singh made us drink tea and water and Leela



Singh and Madha Singh started drinking alcohol. Then Leela Singh started using force with me and started pushing me. Leela Singh raped me forcibly. I protested Leela Singh and not to do this but Leela Singh did not stop. Then I shouted loudly and my sister zxxxxx released me from Leela Singh. Leela Singh and Madha Singh beat up me and Neelam Rani. Then I and xxxxx were released and ran out of the house. Then I and xxxxx locked the gate. Then I and xxxx went to the house of Sukha Singh resident of Kusla, where we spent the night. In the morning, as the pain from my and xxxxx injuries was severe, I and xxxxx were admitted to the Civil Hospital, Sardulgarh. Where I and xxxxx are undergoing treatment. Appropriate action be taken against Leela Singh and Madha Singh resident of Kusla. I have got recorded statement to you, heard and same is correct.”

3. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present FIR on the allegations of giving beatings/injuries to the complainant. It is submitted that the petitioner was declared innocent vide report dated 24.01.2025 (Annexure P-2) but has been wrongly summoned to face trial as an additional accused vide order dated 01.05.2026 (Annexure P-4), despite there being cogent evidence on record that points towards the complicity of the petitioner. It is submitted that the petitioner is willing to join investigation and co-operate.

4. *Per contra*, learned State counsel has vehemently opposed the submissions made by the learned counsel for the petitioner and submits that there are specific and serious allegations against the petitioner. She states that the petitioner was actively involved in the commission of the offence.

5. Learned State counsel submits that there are serious allegations levelled against the petitioner of aiding the commission of sexual assault of the prosecutrix by the co-accused, and thereafter inflicting injuries upon her and her companion. She has also furnished a copy of the order dated 11.05.2026 whereby non-bailable warrants of the petitioner were issued for procuring his presence and the case is fixed for 01.06.2026. It has also been



stated that the petitions for anticipatory bail and regular bail of the co-accused bearing CRM-M-11235-2025 and CRM No.M-44043-2025 were dismissed on 18.03.2025 and 25.03.2026 respectively, by this Court.

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

7. *Prima facie*, grave and serious allegations against the petitioner of first facilitating the commission of grave and heinous offence of rape upon the prosecutrix by the co-accused, and thereafter inflicting multiple injuries on her as well as on her companion, have been levelled. The allegations were reiterated by the complainant in her statement under Section 183 BNSS, as also her testimony as a prosecution witness, wherein she has remained steadfast with respect to the allegations, when read in conjunction with the MLR, prima facie establish the commission of alleged offences. Based on the same, the petitioner has been summoned to face trial as an additional accused. Be that as it may, even non-bailable warrants have been issued against the petitioner by the learned trial Court.

9. Therefore, in the entirety of the facts and circumstances of the case, this Court is not inclined to grant the concession of anticipatory bail to the petitioner.

10. Accordingly, the instant petition stands dismissed.

11. However, in case the petitioner appears/surrenders before the learned trial Court and files an appropriate application for bail, the same is ordered to be decided expeditiously.

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



13. Miscellaneous application(s), if any, also stands disposed of.

(KIRTI SINGH)
JUDGE

May 21, 2026
SwarnjitS

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