

2026:PHHC:087181



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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-33436-2026 (O&M)
DECIDED ON: 10.06.2026

SUKHWINDER SINGH @ BAGGU MASTER

.....PETITIONER(S)

VERSUS

STATE OF PUNJAB

...RESPONDENT(S)

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Ms. Manpreet Ghuman, Advocate for the petitioner(s)

Mr. Satnam Preet Singh Chauhan, DAG, Punjab.

SANDEEP MOUDGIL, J (ORAL)

1. **Prayer**

The jurisdiction of this Court has been invoked under Section 482 of the BNSS (Section 438 of CRPC) for grant of Anticipatory bail in the FIR no.16 dated 17.02.2026 under sections 64/61(2)/351(2) of BNS (376(1)376(2)/120-B/506 IPC, Police Station Amir Khas, District Fazilka.

2. **Contention**

On behalf of the petitioner

Learned counsel for the petitioner contends that the petitioner and prosecutrix were in live-in relationship but the brothers of Victim are against the relationship. He submits that the prosecutrix did not record her statement under

section 164 CRPC (section 183 of BNSS) before the magistrate and due to greed and malice intention has registered the instant FIR. It is contended that as per prosecution case, occurrence has been taken place on 15.10.2025 and the medical was got conducted on 04.02.2026 and FIR was got registered on 17.02.2026. She has argued that no offences are made out against the petitioner, neither she was present at the spot and police party falsely fitted the petitioner in the alleged FIR and she is not concerned with any alleged recovery.

Notice of motion.

On behalf of the State/complainant

On the asking of Court, Mr. Satnam Preet Singh Chauhan, DAG, Punjab, accepts notice on behalf of respondent/State.

Learned State counsel opposes the prayer for anticipatory bail and submits that the allegations against the petitioner are serious in nature and the plea regarding live-in relationship is a matter of evidence and cannot be adjudicated at this stage.

3. **Analysis**

Keeping in view the submission made by learned counsel for the petitioner that the petitioner and the prosecutrix were in a relationship for a long time as well as the fact that the alleged occurrence took place on 15.10.2025, whereas the medical examination was conducted on 04.02.2026 and the FIR came to be registered on 17.02.2026. Moreover, the prosecutrix has not got her statement recorded under Section 183 BNSS before the Magistrate. The allegations regarding the petitioner's role and false implication are matters to be tested during trial.

In the light of above, this Court is of the considered view that there is no valid or cogent reason to deny the bail to the present petitioner, wherein he has *bona fide* intentions and is ready and willing to join the investigation and cooperate for

furtherance of the same so that the final report can be submitted by the Investigating Agency in time.

4. **Relief:-**

Hence, the petitioner is directed to be released on anticipatory bail subject to his joining investigation with the Investigating Officer concerned within a period of one week from today, on furnishing of personal/surety bonds to the satisfaction of Arresting Officer/Investigating Officer. The petitioner shall also abide by the terms and conditions as envisaged under Section 482(2) of BNSS, which are reproduced below:-

‘When the High Court or the Court of Session makes a direction under sub-section (1), it may include such conditions in such directions in the light of the facts of the particular case, as it may think fit, including-

(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;

(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

(iii) a condition that the person shall not leave India without the previous permission of the Court;

(iv) such other condition as may be imposed under sub-section (3) of section 480, as if the bail were granted under that section.’

However, it is made clear that in case the petitioner does not comply with the aforesaid direction of joining the investigation within a period of one week, the order passed by this Court today shall automatically stands cancelled.

In the aforesaid terms, the present petition stands allowed.

(SANDEEP MOUDGIL)
JUDGE

10.06.2026
anuradha

Whether speaking/reasoned
Whether reportable

:Yes/No
:Yes/No