



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

124

CRM-M-69419-2025

Date of Decision: 19.03.2026

JASHAN

....Petitioner

VERSUS

STATE OF PUNJAB

....Respondents(s)

CORAM : HON'BLE MR. JUSTICE ALOK JAIN

Present : Mr. Sachin Sharma, Advocate for the petitioner.

Mr. Amandeep Singh Samra, AAG, Punjab.

Ms. Ritu Punj, Advocate
Mr. Sarvesh Rattan, Advocate
Mr. Sahaj Punj, Advocate &
Ms. Jyoti Chahal, Advocate
for respondent no.2/complainant.

ALOK JAIN, J. (Oral)

1. The present petition seeks grant of anticipatory bail to the petitioner in case FIR No.562 dated 22.11.2025 under Section 69 of Bharatiya Nyaya Sanhita, 2023 (for short 'BNS') registered at Police Station Zirakpur, District SAS Nagar, Mohali.

2. Ms. Jyoti Chahal, Advocate has put in appearance on behalf of respondent no.2 and has filed *vakalatnama* in Court today, which is taken on record.

3. Vide order dated 21.01.2026, the Co-ordinate Bench of this Court while granting the concession of interim anticipatory bail directed the petitioner to join investigation.

4. In pursuance to the order dated 21.01.2026, the petitioner has



joined the investigation.

5. At this stage, the learned counsel for the complainant has vehemently opposed the grant of anticipatory bail to the petitioner and submits that in fact, the petitioner has violated the prosecutrix on false pretext of marriage, moreover, the authorities also did not look into the matter in the correct perspective and omitted the material allegations.

6. Furthermore, the complainant who is present in the Court today submits that she apprehends danger to her life and liberty, as the friends of the petitioner are threatening her of dire consequences, in case, she does not withdraw the present FIR. It is further submitted by her that she has been requesting the authorities for getting her medical conducted but no efforts has been made by the authorities to do the needful.

7. However, with regard to medical examination of the complainant, learned counsel for the State has taken this Court towards the allegations levelled by the complainant in the FIR which is reproduced as under:-

“Jashan came and caught me from behind and kissed on my cheeks and came close to me and started playing with my body and I pushed him aside and told that this is not appropriate to do such thing before the marriage and Jashan gave false assurance to me regarding marriage and told that I will perform marriage with you within a year and told that you do not worry, we can have romance before the marriage. Remaining physical relationship(sex), we will develop after the marriage then I thought that he is a good boy honest, Hence, I agreed”.

8. Learned State counsel submits the *de hors* the above, although the



complainant never made any complaint at any point of time, however, still assures that if the complainant appears before Investigating Officer, her medical examination shall be conducted. As regards the apprehensions of the complainant with regard to danger to her life and liberty is concerned, learned State counsel again submits that no such complaint is received and in case, any complaint is made by the complainant against the petitioner, the authorities shall look into the same and take appropriate action to protect the life and liberty of the complainant in accordance with law but as of now, there is no such complaint.

9. In light of above, the petition is allowed. The order dated 21.01.2026 granting interim anticipatory bail to the petitioner, is made absolute, subject to the following directions:-

(i) That the petitioner will not communicate with the complainant directly or indirectly or through any social platform and in case there is any complaint of threat filed by the complainant, the authorities shall look into the same diligently.

(ii) The petitioner shall join the investigation as and when called upon to do so by the Investigating Agency and he shall abide by the conditions of Section 482 of BNSS, 2023.

However, this is a word of caution to the complainant that in case, it is found that she has filed a false complaint in order to exert pressure on the petitioner, an appropriate action shall be taken against her.

10. In addition to above, in case, there is any apprehension to the life and liberty of the complainant, she has a liberty to approach the authorities, who shall look into the same in accordance with law. Needless to say, it is the duty of the State to protect the life and liberty of all the citizens.



11. It is clarified that nothing stated above shall be construed as a final expression of opinion on the merits of the case and this order shall not be considered as parity qua any other co-accused.
12. It is further made clear that, in case, the petitioner is found involved in any such similar activity once again, the present concession so granted by this order shall automatically stand vacated.

19.03.2026
Deepak Patwal

(ALOK JAIN)
JUDGE

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|----|---------------------------|--------|
| 1. | Whether speaking/reasoned | Yes/No |
| 2. | Whether reportable | Yes/No |