

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

(129)

**CRM-M-71886-2025 (O&M)
Date of Decision: 20.02.2026**

JASWINDER SINGH @ JASSI @ JASWINDER SINGH MANAN

.....Petitioner

Versus

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MS. JUSTICE KIRTI SINGH

Present: Mr. Amit Kumar Saini, Advocate
for the petitioner.

Mr. Luvinder Sofat, Sr. DAG, Punjab.

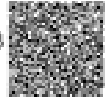
Mr. Kanwar Abhay Singh, Advocate
for the complainant (through V.C.)

KIRTI SINGH, J. (ORAL)

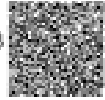
1. The jurisdiction of this Court under Section 483 BNSS has been invoked for grant of regular bail to the petitioner in case FIR No.150 dated 19.08.2025 under Sections 75, 308(4), 123 and 351(2) of BNS (Section 238 of BNS added later on), registered at Police Station Machhiwara, Police District Khanna.

2. The translated version of the FIR is reproduced below:-

“Statement by unknown xxxx D/O Taranjitpal Singh resident of village Jassowal, Police station Machhiwara Sahib, District Ludhiana aged about 26 years M.No. 818465xxxxxx stated that I am resident of abovesaid address and after completion of BA I am living at home. In March 2025, I became friend with Sukhwant Singh alias Sukhi through snapchat and after that Sukhwant Singh @ Sukhi and then Sukhwant Singh Sukhi made my friendship with Jaswinder Singh @ Jassi and Harmeet Singh Sokhi residents of Samrala, District Ludhiana, then all above made my friendship with Harman

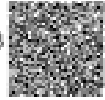


Patwari resident of Machhiwara Sahib and we all kept talking to each other through snapchat and then on 08-04-2025, we met at McDonald's in Samrala to celebrate Sukhwant Singh @ Sukhi birthday and after eating and drinking at McDonald and Barista, Sukhi left me in my village then we keep continue talking. On 07-07-2025 at around 2 pm, I got call from Sukhwant Singh @ sukhi who said to me that I am coming to your house, you come with me to outside again, I refused and again I got a call that I am standing outside your house near Gurudwara Sahib you come out quickly, after going outside I saw a white colour 1/20 car which no. is PB-43F-3000 in which Harmeet Singh Sokhi was also sitting in the car along with Sukhwant. Both of them were repeatedly asking me to sit in the car and I was refusing and in the fear that people of village would not see me with them, so I sat in the car on their urging and I felt that I would go with them and after eat and drink I will come back, then they both were taking me from pul of river of Garhi Tarkhana through river passage and they gave me the cold drink and chips to eat which were already in the car and after going through villages they took me to a newly built hotel in village Chahla. While sitting there, I started feeling dizzy and drowsy. Then I saw a one card lying in a room on which the name of hotel was written as King Restaurant. Then they both came into the room and start doing wrong act with me. I asked them not to do so with me, so they moved away and then made me sit along with them and after sitting with me, Harmeet Singh took objectionable photos of me on his mobile and he showed me the photos and I sad why did you take the photos then he told me that they were taken just usually I will delete them, then I was upset and told them to drop me at home otherwise I will make noise then both of them left me in the village around 5 pm and the next day Sukhwant Singh, Jaswinder Singh Jassi Harmeet Singh Sokhi started calling me repeatedly and telling me about photos taken of me and I got scared and then they started demanding money from me and out of fear I agreed to give them money and All three Sukhwant Sukhi, Harmeet Singh Sokni and Jaswinder Singh Jassi used to come to my village, on different days sometimes on car 120 bearing no. PB-43-3000 and on sometimes Pajero car bearing no. PB-10-DK-0135 and white safari, to grab money from me which amounts 2 lacs in total Rs.20,000, sometimes Rs.10,000, Rs.25,000. When I run out of money they started saying that there must be gold at home then they told me they use this money for consuming drugs which they buy from the Harman Patwari. Then they started asking for gold ornaments from me and I was trapped in clutches as they threatened to kill me and my parents and out of fear firstly I gave them gold bracelet of my father, ring and my brothers gold chain and mother's and my gold earrings, father has even as to know about the silver coin and silver chain, one imported camera. When my family members got to know that the goods had been stolen, they checked cctv cameras installed around and found Pajero car bearing no. PB-10DK-0135 near our house and regarding which my informed the



police and filed complaint. When they came complaint given to police by my father, Harmeet Sokhi and Jaswinder Jassi called me to threatened to kill me if they will be named in this case. Out of so much stress and threatening I have then lost my mental stability then on 04.08.2025 at 3 a.m. in morning I jumped from second floor of my house. My father rushed and took me to DMC hospital, I went through treatment as I got serious injuries on my face, hip and other injuries where I am undergoing treatment. The reason was that these above mentioned persons have ditched me in friendship and grabbed money and gold from me, threatened me to death and exploite me, strict actions should be taken against them. I have written a statement, heard as correct. SD/ xxxx.”

3. Learned counsel for the petitioner *inter alia* submits that the petitioner has been falsely implicated in the instant case on the statement of the prosecutrix. It is submitted that the petitioner was known to the prosecutrix through one of the co-accused. All of them were good friends, and had met to celebrate the birthday of co-accused Sukhwant Singh alias Sukhi. Learned counsel submits that in fact, the co-accused Harmandeep Singh, against whom the main allegations were levelled, particularly of clicking obscene photographs, has been the concession of anticipatory bail vide order dated 14.01.2026 passed in CRM-M-48883-2025 by a Co-ordinate Bench of this Court. Learned counsel submits that the registration of the instant FIR was in fact a result of a misunderstanding, which now stands resolved. The prosecutrix has even stated in her duly sworn affidavit that she has no objection in case the petitioner is granted bail or if even the FIR is quashed. It is submitted that even otherwise also, there is no evidence to substantiate the allegations levelled against the petitioner, against whom even otherwise vague and baseless claims have been made. He further submits that the petitioner, aged about 33 years, has already undergone an actual custody of 5 months and 14 days. There is no other case registered against him.



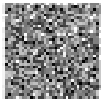
4. *Per contra*, learned State counsel has vehemently opposed the submissions made by the learned counsel for the petitioner. He states that the petitioner was actively involved in the commission of the offence, and the offence is non-compoundable. He has filed custody certificate in Court today and the same is taken on record. As per custody certificate, the petitioner has undergone an actual custody of 5 months and 14 days. Investigation is complete. The final report under Section 173 Cr.P.C. was presented before the concerned Court on 05.12.2025. The charges are yet to be framed. He submits that in view of the serious allegations against the petitioner, he is not entitled to the concession of regular bail.

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

6. Admittedly, the challan stands presented before the Court concerned and the charges are yet to be framed. The petitioner has undergone actual custody of 5 months and 14 days, and there is no other criminal case registered against him. The veracity of the allegations leveled against the petitioner shall be established during the course of the trial. No useful purpose shall be served by further detention of the accused-petitioner. Keeping the petitioner in further detention without the prospect of the trial being concluded in the near future, would be violative of his rights under Article 21 of the Constitution of India including the right to speedy trial, and is against the principle “Bail is a rule, jail is an exception” as elucidated in the judgment of Apex Court in **“Dataram Singh vs. State of Uttar Pradesh and another”, (2018) 3 SCC 22.**

7. Without commenting anything on the merits of the case, lest it may prejudice the trial, the present petition is allowed and the petitioner is

ordered to be released on regular bail on his furnishing adequate bail/surety



bonds to the satisfaction of the concerned learned trial Court/Duty Magistrate. The petitioner shall also abide by the following conditions:-

- (i) The petitioner will not tamper with the evidence during the trial.
 - (ii) The petitioner will not pressurize/intimidate the prosecution witness(s).
 - (iii) The petitioner will appear before the trial Court on the date fixed, unless personal presence is exempted.
 - (iv) The petitioner shall not commit an offence similar to the offence of which he is accused of, or for commission of which he is suspected.
 - (v) The petitioner 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 or tamper with the evidence.
8. In case of breach of any of the above conditions, the prosecution shall be at liberty to move an application for cancellation of bail before this Court.
9. However, nothing stated above shall be construed as a final expression of opinion on the merits of the case and the trial Court would proceed independently of the observations made in the present case which are only for the purpose of adjudicating the present bail petition.
10. Pending miscellaneous application(s), if any, also stands disposed of.

(KIRTI SINGH)
JUDGE

February 20, 2026
Ithlesh

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