

2025:PHHC:076122



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

**CRM-M-32513-2025
DECIDED ON: 16.06.2025**

JASWINDER KAUR KALSI**.....PETITIONER****VERSUS****STATE OF PUNJAB****.....RESPONDENT****CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL**

Present: Mr. P.S. Dhaliwal , Advocate
for the petitioner.

SANDEEP MOUDGIL, J (ORAL)**1. Prayer**

The jurisdiction of this Court has been invoked under Section 482 BNSS, 2023 for grant of anticipatory bail to the petitioner in FIR No.162 dated 27.04.2025 under Sections 115 (2), 127 (2), 308 (2), 351 (2), 191 (3), 190, 61 (2) BNS 2023 registered at Police Station City Barnala, District Barnala.

2. Prosecution story setup in the present case as per the version in the FIR as under:-

"Statement of Ajaib Singh son of Nachhattar Singh resident of Dhillon Patti, Thikriwala, District Banrala, aged about 65 Years Mobile No.8427107035. Stated that I am resident of above mentioned address. I am present Panch of Village Thikriwal, Patti Dhillon. I have been told by Raj Singh son of Sukhdyal Singh resident of Dhillon Patti, Thikriwal, aged about 57 years while he was perplexed. About one month earlier that on 03.03.2025 in the noon one lady met me on Bus Stand Barnala. She told her name as Jaswinder Kaur @ Gauri resident of Near Chhoti Mata Rani Mandir, Barnala and asked me what are you doing and I said that I am doing agriculture work. She

also asked me how much land you have then I said I am married and I have 8 acre land. She asked me have you have any unmarried son. She has also said to me that I will arrange match for him because I am doing the work of 5 arranging the match. My house is situated at Jandwala road. I can show you my house top you. On this Jaswinder Kaur while sitting with me on my scooty reached at the above sald address where three ladies 2-3 young persons were present in the house. Jaswinder Kaur @ Gauri got me sat in one room. After some time one girl aged about 30-35 years came to me in the room. Jaswinder Kaur @ Gauri said to me that I can arrange the match of this girl with your son. I said to her that my son's age is less than this girl. In the meantime we were talking after some time four young persons came to the room having sticks and alongwith four ladies and said that why you came to our house. One person said that you have committed wrong act with my wife. Then I afraid what is this. Two young persons they were naming each other as Guri and Sira. All these persons were conspired with each other detained me in the room and said that you put off your clothes otherwise we will beat you and will implicate you in false and frivolous case and they gave 6-7 slaps and also caused danda blow to me and forcibly put off my clothes. One person made the video on mobile in naked conditions and started demanding Rs.5 lacs and also gave threat if you did not gave money then you video will be made viral. I made many requests to them but they remained threatening me and I said to them with the purpose of escaping that I am poor person and I can not give more than Rs.1.50 lacs. After 2-3 hours settlement was made with them with Rs.1.50 lacs and I said to them that I can bring money from my commission agent namely Bhushan at Handiaya Bazar Barnala then one person alongwith me and Jaswinder Kaur @ Gauri alongwith me on motorcycle and the person stand at some distance and I went to Bhushan Commission agent and take Rs.1.50 lacs and he gave me Rs.1.50 lacs containing Rs.500/- notes. I gave them to Jaswinder Kaur @ Gauri and Sira and Guri above persons. They came back in the same house and also said that if you talked with any person then

we will cause loss to you. From there I came to my house on my scooter. This entire occurrence has been told to me and Ex. Sarpanch Pargat Singh by above Raj Singh. Then I and Raj Singh and Ex. Sarpanch Pargat Singh went to the above said address where Jaswinder Kaur @ Gauri alongwith one lady and one person were present and we said to them that you had beat our person and also made video and blackmail him and taken Rs.1.5 lacs. Return this money and delete the video otherwise we will made the complaint against you. On this Jaswinder Kaur @ Gauri said that Rs.1.5 lacs which has been taken by us was divided by us and same have been spent. We will paid back this amount by contributing within 15-20 days and we have committed a mistake for blackmailing Raj Singh. On this Jaswinder Kaur @ Gauri told her name as Jaswinder Kaur @ Gauri wife of Baljit Singh r/o Rampura and name of remaining person told by her Gurpreet Singh @ Guri son of Gurchand Singh r/o Pharwahi, Gurmeet Kaur wife of Jagsir Singh @ Sira and Jagsir @ Sira son of unknown rs/o Maur Nabha and alongwith 3-4 unknown ladies/male were there whose names were not known to her. On this again we asked her after 15-20 days then they linger on the matter on one pretext or the other and again gave the time to us 15-15 days three times. Again on this Raj Singh remain silent for the reason of his shame that his video may not be viral. He is under the depression. Now he is not going out of the house and he is also much afraid and he said to us that you filed the complaint before the police that above laies and persons may not cause loss. On this I am Ex. Sarpanch Pargat Singh came to you to give information and you met us Balmiki Chowk and Jaswinder Kaur @ Gauri, Gurpreet Singh @ Guri, Gurmeet Kaur and Jagsir Singh @ Sira and 4/5 unknown ladies and gents have made a gang for blackmailing the persons and are extorting the money from them. Legal action be taken against them. I have recorded my statement which is heard and correct. Sd/-Ajaib Singh. Above. Sd/- Pargat Singh Ex. Sarpanch son of Hakam Singh r/o Thikriwal. Dated: 27/4/25"

3. **Contention**

On behalf of the petitioner

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case and there is unexplained delay of 1 month and 24 days in lodging the FIR, as the incident took place on 03.03.2025 and the FIR was got registered on 27.04.2025. He further submits that the complainant, who is Panch of the village has no locus standi to register the FIR. He undertakes on behalf of the petitioner that he is ready and willing to join the investigation.

Notice of motion.

On behalf of the State/complainant

On the asking of Court, Mr. Jasjit Singh Rattu, DAG Punjab, accepts notice on behalf of respondent/State. He prays for dismissal of the present petition stating that the allegation against the petitioner is serious in nature, as she alongwith her co-accused Seera and Guri had received the money from victim Raj Singh under the threat of his viral obscene video.

4. **Analysis**

Be that as it may, after due consideration of the submissions made hereinabove, particularly the delay of more than one month in lodging the FIR and the fact that the complainant lacks *locus standi*, as the aggrieved persons have not come forward in the instant FIR, the possibility of false implication of the petitioner cannot be ruled out added with the fact that co-accused namely Gurmeet Kaur has already been granted the concession of anticipatory bail by the trial Court vide order dated 09.05.2025 (Annexure P-1), this Court is of the considered view that there is no valid or cogent reason to deny the bail to the present petitioner, wherein she 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.

5. **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 his satisfaction. 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

16.06.2025

Meenu

Whether speaking/reasoned *Yes/No*
Whether reportable *Yes/No*