



CRM-M-39743-2025 (O&M).

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

(102+207)

CRM-M-39743-2025 (O&M).
Date of Decision:-29.09.2025.

Jaswinder Sharma

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE ALOK JAIN

Present: Mr. Sumeet Puri, Advocate for the petitioner.

Mr. Amandeep Singh, AAG, Punjab.

ALOK JAIN, J. (Oral)

CRM-38629-2025

For the reasons recorded in the application, the same is allowed and Annexure A-1 is taken on record subject to just exceptions.

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1. The present petition is for grant of regular bail to the petitioner in FIR No.97 dated 22.05.2025 under Sections 69, 351(2) of BNS, 2023, registered at Police Station City Budhlada, District Mansa.

2. Learned counsel for the petitioner submits that the present petition is absolutely a malicious prosecution initiated by the prosecutrix to extract money from the petitioner. The FIR is absolutely vague and evasive without any date, time and place of occurrence and the same has ruined the life of the petitioner. He submits that the prosecutrix did not even undergo the medical examination before or after lodging the present FIR. It is



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submitted that in fact prosecutrix was working in the small shop of the petitioner and on account of certain financial issues, she left the job and lodged the FIR. Learned counsel for the petitioner further submits that petitioner's mobile phone has already been recovered in which no objectionable videos or photographs were found, therefore, the allegation that the petitioner is threatening the prosecutrix of uploading any objectionable material does not arise at all.

3. *Per contra*, learned State counsel has filed the custody certificate which is taken on record and fairly submits that the challan has been presented, however, the charges are yet to be framed for which the matter is fixed for 23.10.2025. Learned State counsel, could not deny the fact that the prosecutrix has never got her medical conducted.

4. In light of the above, coupled with the fact that the petitioner has been in custody since 23.05.2025 and the trial is likely to take time, no useful purpose would be served by keeping the petitioner in custody, hence, the petitioner is entitled to the grant of concession of regular bail.

5. Without commenting upon the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail, if not required in any other case, subject to his furnishing bail and surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned. He shall, however, be released on the following conditions:

- ❖ The petitioner shall declare his ordinary place of residence and the mobile number used by him.
- ❖ He will not switch off his mobile and in case of any technical glitch,



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he has to give an alternate number, which will be available in his absence.

- ❖ He will mark his presence before the SHO concerned, after every 15 days and in case the SHO refuses to mark his presence, he is permitted to make an application before the Illaqa Magistrate, concerned.
- ❖ He will not leave the country without the prior permission of the Court, for which he will submit the copy of his passport also. However, in case, the petitioner does not possess a valid passport, then he shall file an undertaking to the said effect before being released.

6. The petitioner shall abide by the terms and conditions as imposed in addition to Section 483 of BNSS, 2023.

7. However, 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 in any manner whatsoever.

8. It is made clear that, in case, the petitioner is found involved in any such activity once again, the State is at liberty to promptly move an appropriate application for cancellation of bail detailing out the circumstances and violation of the condition(s) of bail.

(ALOK JAIN)
JUDGE

September 29, 2025.

S. Sethi

Whether speaking/reasoned:- Yes/No
Whether Reportable:- Yes/No