



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Sr. No.110+203 (4 cases)

Date of Decision: 28.07.2026

1. CRM-M-70236-2025

GURPREET SINGH
....Petitioner

Versus

STATE OF PUNJAB
.....Respondent

2. CRR-1090-2026 (O&M)

JASHANPREET SINGH
....Petitioner

Versus

STATE OF PUNJAB
.....Respondent

3. CRM-M-1610-2026

GURSEWAK SINGH
....Petitioner

Versus

STATE OF PUNJAB
.....Respondent

4. CRM-M-1885-2026

KARANPREET SINGH
....Petitioner

Versus

STATE OF PUNJAB
.....Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present:- Mr. Tarun Kumar Sharma, Advocate
for the petitioner(s) (in all the cases).

Ms. Amrit Kaur, AAG, Punjab
for the respondent-State (in all the cases).



ARCHANA PURI, J. (Oral)

CRM-17860-2026 IN CRR-1090-2026

Along with the main petition filed to assail the orders dated 18.11.2025 and 05.01.2026 passed by learned trial Court, as well as learned Appellate Court, the present application has been filed for seeking condonation of delay of 14 days in filing the same.

In view of the averments made in the application, same is allowed and the delay of 14 days in filing the revision petition is hereby condoned.

Main cases

These are four petitions, filed by Gurpreet Singh, Jashanpreet Singh, Karanpreet Singh and Gursewak Singh, thereby making prayer for grant of regular bail in case bearing FIR No.69 dated 29.06.2025, registered under Sections 70(2) and 351(2) of Bharatiya Nyaya Sanhita (Sections 87 and 332(A) of Bharatiya Nyaya Sanhita, added later on) and Section 6 of Protection of Children from Sexual Offences Act, at Police Station Sanaur, District Patiala.

The particulars of each petition have already been mentioned in the head note of the judgment.

In pursuance of notice issued in the respective petitions, State counsel made appearance on behalf of the respondent-State and respective replies were filed, by virtue of affidavit of concerned Deputy Superintendent in CRM-M-70236-2025, CRR-1090-2026 and CRM-M-1610-2026.

Counsel for the parties heard.



CRM-M-70236-2025; CRR-1090-2026 (O&M);
CRM-M-1610-2026 AND CRM-M-1885-2026

The aforesaid case was registered on 29.06.2025, at the instance of mother of the prosecutrix. Besides stating about the factum of her two marriages and the children born from the wedlock, she had also stated about the prosecutrix to be 16 years old. Her daughter was in trouble for a long time. After asking several times, the prosecutrix had disclosed that one evening, in January (probably of the year 2025, though not so mentioned), at around 6:00 p.m., when she had gone to get milk from dairy, some boys from her village, namely, Gursewak Singh, Jashan Singh, both sons of Gurdhyan Singh, Gurpreet singh, son of Bhinder Singh and Karan Singh, son of Mangu Singh, residents of village Sirkappa, came on a motorcycle. They had picked her up and took her to the canal adjacent to village Sirkappa. These boys forcibly had intercourse with the daughter of the complainant and at about 5:00 a.m., they left her back to her house. She was also threatened that if she talks to anyone about this, then they will kill her. The complainant had also stated that her daughter is pregnant.

At the very outset, it is submitted by the counsel for the petitioner(s) that there is an unexplained delay of six months, in the minimum, in registration of the FIR. In fact, with regard to taking place of the occurrence, no specific date has been mentioned by the complainant. Also, it is submitted that the complainant-mother, as well as the victim, both have been examined, during the course of trial. However, they have not supported the prosecution version. Besides the same, there is no medical or DNA evidence, connecting any of the petitioners with the paternity and therefore, no conclusive material has been produced by the complainant, *vis-a-vis* the occurrence in question.



CRM-M-70236-2025; CRR-1090-2026 (O&M);
CRM-M-1610-2026 AND CRM-M-1885-2026

Also further, the counsel for the petitioner(s) submits that the version put forth by the complainant, as well as the victim, during the course of trial, is contrary to the version set up by the prosecution. In fact, the complainant also stated that she does not know, as to who is the father of the female child.

In fact, it is submitted that though, written response was filed by the State, but however, therein, it was stated that DNA report is awaited. However, in consonance with the direction given by the Coordinate Bench, the DNA report was produced and the same does not, in any manner, affix the paternity of the child, with any of the petitioners and therefore, it cannot be said that any of the petitioners is biological father of the child born to the victim.

On the other hand, learned State counsel has assiduously refuted the claim for grant of regular bail to the petitioners. In fact, it is submitted that though, complainant, as well as victim, have turned hostile, but however, it has come on in the cross-examination that the accused persons had done wrong act with the victim. Also, it is submitted that the trial is going on. There are 20 witnesses to be examined in total and out of them, only two have been examined.

However, with regard to recitals of DNA report, it has been stated by the State counsel that DNA profile does not match with any of the petitioners, but the same does not belie the version of the prosecution.

While considering the petition for grant of regular bail, various factors ought to be taken into consideration and the delay in registration of the FIR is one of the aspects, which ought to be considered. Even then, it is only



CRM-M-70236-2025; CRR-1090-2026 (O&M);
CRM-M-1610-2026 AND CRM-M-1885-2026

the unexplained delay, which carries weight. As per version put forth by the complainant, there is no specific date coming forth, as to when the victim was sexually assaulted. It is generally stated about the occurrence to have taken place in the month of January. However, the FIR in question was got registered on 29.06.2025. As to when the disclosure of the occurrence was made by the victim to her mother, has also not been mentioned in the statement of the complainant. In the given circumstances, there is delay of 6 months, which has remained unexplained, more particularly, when all the accused are the co-villagers of the complainant, as well as the victim.

Though, much emphasis has been laid upon the testimonies of the complainant and the victim, which were got recorded during the course of trial, but however, this Court is consciously not appraising the same at the stage of considering the case for grant of regular bail, lest it may hamper the interest of either side, may be of the prosecution or of the petitioner(s). But anyhow, suffice to consider, the submission made by the State counsel that the complainant and the victim, had turned hostile.

Besides the aforesaid, as per the report of FSL, which has been produced today, the DNA profile of child of the victim, does not match with any of the petitioners. In the light of the same, the paternity cannot be affixed with any of the petitioners.

There are 20 witnesses to be examined by the prosecution and out of them, only two have been examined. The main witness i.e. prosecutrix and the complainant, have been examined. The petitioners, namely, Jashanpreet Singh, Gursewak Singh and Karanpreet Singh, are in custody since 30.06.2025, whereas, Gurpreet Singh, is in custody since 02.07.2025.



Taking into consideration the totality of circumstances and the fact that the conclusion of trial is likely to take time and also considering the petitioners to be suffering long incarceration, this Court deems it appropriate to extend benefit of regular bail to the petitioners. Hence, all the aforesaid petitions are hereby allowed and the petitioners i.e. Gurpreet Singh, Jashanpreet Singh, Gursewak Singh and Karanpreet Singh, are hereby granted regular bail, subject to their furnishing bail bonds to the satisfaction of CJM/Illaq Magistrate/Duty Magistrate concerned. However, the petitioners shall abide by the conditions, as imposed upon them, by the concerned Court.

The observations aforesaid are circumscribed only for the purposes of disposal of the present petitions, for grant of bail and the same shall have no impact on the merits of the case, pending before learned trial Court.

28.07.2026
Himanshu Vats

(ARCHANA PURI)
JUDGE

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