



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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CRM-M-29651-2024 (O&M)

Date of decision: 14.06.2024

Bhupinder Singh

...Petitioner

VERSUS

State of Punjab

...Respondents

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present :- Mr. M.K. Arya, Advocate for
Ms. Sukhveer Kaur, Advocate for the petitioner.

Mr. Teevar Sharma, AAG Punjab.

VINOD S. BHARDWAJ, J. (Oral)

1. The instant petition has been filed under Section 439 of the Code of Criminal Procedure, for the grant of regular bail in FIR bearing No.28 dated 27.02.2024, registered under Section 354-D, 341, 323, 506, 34 of the Indian Penal Code, 1860 and Section 11 (4) of the POCSO Act (added later on) vide G.D. No. 24 dated 25.03.2024, at Police Station Sadar, Sri Muktsar Sahib, Punjab.

2. Briefly summarized facts of the case are that the prosecutrix was pursuing her GNM Nursing course at Adesh Bhagat (University Mata Jarnail Kaur College), Kotkapura Road, Sri Muktsar Sahib, is stated to be coming to her home on 21.02.2024 after finishing her college at about 2.00 p.m. when co-accused Lovepreet Singh of village Badhai (who was her



classmate in the school) was standing in front of the gate of with his Scooter bearing Registration No.PB-0L-3650 and stopped her and pushed her. A threat was also extended about forcefully taking her away. Certain alleged remarks about her caste were also made and beatings were extended to the complainant. It is alleged that the said accused Lovepreet Singh had been stopping her for a long and that certain other persons (unknown boys) were also accompanying the main accused.

3. Learned counsel for the petitioner contends that the petitioner has not been attributed any overt act and that he has been named as an accused solely on account of being friends with Lovepreet Singh. He contends that similarly placed co-accused Harjap Singh @ Punni has already been granted the concession of regular bail and that the petitioner has already been in an actual custody of 02 months and 15 days. The petitioner does not have any criminal antecedents.

4. Learned counsel for respondent-State, on the other hand, opposes the prayer made by the learned counsel for the petitioner and contends that the petitioner along with the main accused had not only caused beatings to the complainant but also used caste related remarks. He however does not dispute the fact that similarly placed co-accused Harjap Singh @ Punni, who is stated to be accompanying main accused-Lovepreet Singh, has already been granted the concession of regular bail and that the petitioner does have any criminal antecedents. He also does not dispute that the custody period of the petitioner. He submits that the main accused is still in custody.



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5. I have heard the learned counsel appearing on behalf of the respective parties.
6. Taking into consideration the facts as noticed above, the age of the petitioner, the period of his actual custody and also that the similarly placed co-accused Harjap Singh @ Punni has already been granted the concession of regular bail and that no recovery is to be effected from the petitioner, **the instant petition is allowed.** The petitioner is ordered to be admitted to regular bail subject to his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned with an undertaking to the effect that he shall not indulge in any other criminal activity and shall maintain peace for a period of one year from the date of submission of the bail bonds.
7. It is made clear that the petitioner shall not extend any threat and shall not influence any prosecution witness in any manner directly or indirectly.
8. The observation made hereinabove shall not be construed as an expression on the merits of the case and the trial Court shall decide the case on the basis of available material.

(VINOD S. BHARDWAJ)
JUDGE

14.06.2024

Mangal Singh

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