

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

CRM-M-916-2025

Date of decision: 19.05.2025

SUKHDEV SINGH ALIAS BABA

....Petitioner

Versus

STATE OF PUNJAB

....Respondent

CORAM: HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present: Mr. Vivek Chauhan, Advocate
 for the petitioner.

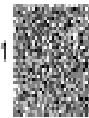
Ms. Amrit Kaur Mahir, AAG, Punjab.

AMARJOT BHATTI, J.

Petitioner has filed present petition under Section 483 of BNSS, 2023 for grant of regular bail in FIR No.54, dated 29.03.2024, under Sections 363 and 366-A of IPC (Offence under Sections 370, 370-A, 372, 120-B of IPC and Section 376 of IPC and Sections 3 and 4 of POCSO Act, added later on) registered at Police Station City Sri Muktsar Sahib, Punjab (Annexure P-1).

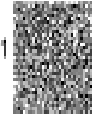
2. As per facts of the case, complainant 'NS' gave his statement that he is father of two daughters and a son. The victim 'JK' age about 17 years was studying in Class 12th in Government Girls Senior Secondary School, Bathinda Road, Sri Muktsar Sahib. On 24.01.2024, she was to appear in her last examination and she had gone to the school by auto. After examination, she did not reach home. He and his family members searched for his daughter but could not locate her. They came to know that after her examination, she was kidnapped by someone by giving her allurements of marriage. With these allegations, initially FIR was registered under Sections 363 and 366-A of IPC.

3. As per status report, investigation was started. The



complainant suffered supplementary statement on 31.03.2024 and named Deepak Kumar, Raj Kaur, Karan Singh and another Raj Kaur, Karan Kumar, Mahla Ram and 3-4 other unknown persons were operating child trafficking network. The complainant stated that his daughter was trapped by Deepak Kumar and others and was sold to Akhi Ram. Vide Rapat No.28 dated 31.03.2024, offence under Sections 370, 370-A, 372, and 120-B of IPC were added. During investigation, Deepak Kumar and Raj Kaur d/o Surjan Singh arrested on 31.03.2024. On 02.04.2024, raid was conducted at the house of co-accused Raj Kaur w/o Balwinder Singh. Accused were arrested and during interrogation of Raj Kaur, Karamjit Kaur was also nominated as one of the accused. On 02.04.2024, Deepak and Raj Kaur suffered disclosure statement that the victim was sold at Bikaner through co-accused Karan Kumar. The police conducted raid at the house of Karan Kumar @ Rakesh Kumar on 04.04.2024, and the victim/prosecutrix was recovered. Statement of the victim under Section 164 Cr.P.C. was recorded and offence under Section 376 of IPC and Sections 3 and 4 POCSO Act, were added vide Rapat No.52 dated 04.04.2024. The investigation was completed and thereafter accused apprehended in this case were accordingly challaned.

4. Learned counsel for petitioner argued that he is falsely implicated in this case. He was named by the complainant in supplementary statement. He was arrested in this case on 09.04.2024. Investigation has been completed and challan is already presented. Main allegations are against other co-accused. The victim was not recovered from his possession. He has already cooperated with the Investigating Agency. He will abide by the terms and conditions of bail order.



Therefore, his regular bail application may be allowed.

5. Bail application is opposed by learned counsel representing State. Detailed status report has been filed. Present petitioner is specifically named and specific role is attributed to him by the victim. The said statement dated 09.04.2024 is Annexure R-3/T. The statement of victim recorded under Section 164 of Cr.P.C. is also annexed as Annexure R-1/T. There are specific serious allegations against present petitioner. The victim at the time of alleged occurrence was minor. Considering the gravity of offence, petitioner is not entitled to be released on regular bail.

6. I have considered the arguments advanced before me. As per the status report, apart from the present petitioner Sukhdev Singh @ Baba, there are nine other accused named in this case out of which Karan Singh, and Mahla Ram were yet to be arrested. The facts narrated in this case clearly indicates that the victim fell into the trap of accused persons and was brought to Amritsar. Present petitioner is specifically named by the victim who committed rape with her in a hotel. Thereafter, she was being shifted from one place to another. As per her statement, she was recovered from Bikaner. Status report clearly indicates that the victim fell into trap of a gang operating in child trafficking. At this stage, challan is already presented but trial is at initial stage.

7. Therefore, considering the nature of offence and its gravity, I do not find it proper for grant of regular bail to petitioner and petition filed by him is accordingly dismissed.

(AMARJOT BHATTI)
JUDGE

19.05.2025

monika

1. Whether speaking/ reasoned :	Yes /No
2. Whether reportable :	Yes /No