



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

210 Date of decision : 19.08.2025

(i) CRM-M-4181-2025

Beant SinghPetitioner

versus

State of PunjabRespondent

(ii) CRM-M-5204-2025

Pawan Singh @ Pawan KumarPetitioner

versus

State of PunjabRespondent

CORAM: HON'BLE MR. JUSTICE NAMIT KUMAR

Present: Mr. Armaan Gagneja, Advocate
for the petitioner in CRM-M-4181-2025.

Mr. Gopal Singh Nahel, Advocate
for the petitioner in CRM-M-5204-2025.

Mr. Hemant Aggarwal, D.A.G., Punjab.

Mr. H.S. Rakhra, Advocate for the complainant.

NAMIT KUMAR, J. (ORAL)

1. This order shall dispose of both the abovesaid petitions, as the same have been arisen out of the common FIR.
2. The present petitions have been filed by the petitioner(s) under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail in case bearing FIR No.118 dated 02.08.2024 registered under Sections 64(1) & 61(1) of Bharatiya Nyaya Sanhita, 2023 and Section 4 of Protection of Children from Sexual Offence Act, 2012 at Police Station Lehra, District Sangrur.



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3. Brief facts of the case are that on 02.08.2024, the mother of the victim made a statement before the police alleging therein that today i.e. 02.08.2024 at about 2:00 p.m., when her daughter, aged about 16 years, came back from her school, she looked afraid and when she asked her daughter the reason, she told me that few days ago, accused-Pawan Singh came to paint her school, where she met with him in good terms and thereafter, they had started talking on phone. Accused-Pawan Singh told her that he had good chunk of land and he would marry her. Today, when she reached at school, accused-Pawan Singh met her at the gate of the school along with his friend. They took her to Royal Hotel at Jakhal Road, Lehra. Friend of accused-Pawan Singh left the place after which they gave their Aadhar Cards in the hotel and book a room. They stayed in the hotel room for about 2½ to 3 hours, where accused-Pawan Singh committed rape with her against her wishes. Thereafter, he left her at Bus Stand, Lehra on his motorcycle. On the basis of the said statement, the instant FIR was registered.

4. Learned counsel for the petitioners submit that the petitioners are innocent and have been falsely implicated in the present case. No such incident as alleged in the FIR has occurred. They submits that the mother of the victim, her father and victim herself, who have been examined before the Trial Court as PW-1 to PW-3, respectively, have not supported the case of the prosecution and have turned hostile. The victim in her statement recorded before the Trial Court submits that Pawan Singh @ Pawan Kumar alongwith Beant Singh never kidnapped her and Pawan Singh never committed any wrongful act/penetrative



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sexual assault upon her. Pawan Singh along with Beant Singh never took her to any hotel. She never identified them before the police as no offence was committed by them against her. The complainant, who is mother of the victim and her father also made their statements before the Trial Court in the same manner.

5. Learned counsel for the petitioners further submit that the petitioners are behind the bars since 04.08.2024 and not involved in any other case. They also submit that investigation in the present case is complete; challan stands presented; charges have been framed and out of total 26 prosecution witnesses, only 08 have been examined so far. The trial is likely to take a considerable time to conclude and therefore, no fruitful purpose would be served by detaining the petitioners behind the bars.

6. Per contra, learned State counsel has vehemently opposed the prayer for grant of regular bail to the petitioners on the ground that the allegations against the petitioners are serious in nature. However, he could not refute the factual position that out of total 26 prosecution witnesses, 08 have been examined so far. He has also filed custody certificates dated 18.08.2025 in the Court which are taken on record. As per the custody certificates, the petitioners are behind the bars since more than last one year and they are not involved in any other case.

7. I have heard learned counsel for the parties and perused the record.

8. Keeping in view the custody period of petitioners which is 01 year and 13 days and the facts that the mother of the victim, her



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father and victim herself have not supported the case of the prosecution in their statements recorded before the Trial Court and have turned hostile; investigation has been completed; challan has been presented; charges have been framed and out of total 26 prosecution witnesses, 08 have been examined so far; the petitioners are not involved in any other case and the trial may take a considerable time to conclude, therefore, the petitioners are ordered to be released on regular bail during trial on their furnishing bail bonds/surety bonds to the satisfaction of Illaqa Magistrate/Trial Court.

9. The petitions stand disposed of accordingly.
10. However, anything observed hereinabove shall not be treated as an expression of opinion on the merits of the case and is meant for the purpose of deciding the present petitions only.

19.08.2025
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**(NAMIT KUMAR)
JUDGE**

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