



CRM-M-5899-2025

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210

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

CRM-M-5899-2025

Date of Decision:- 08.04.2025

BALKARAN SINGH

...Petitioner

Vs.

STATE OF PUNJAB

...Respondent

CORAM:- HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present:- Mr. Ripudaman S. Brar, Advocate for the petitioner.

Mr. Japjot Singh, AAG, Punjab.

Mr. Daman Jeet Bhoriwal, Advocate for the complainant.

AMARJOT BHATTI, J.

1. Petitioner has filed instant petition under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of anticipatory bail in FIR No.166 dated 26.11.2024 under Sections 65 (1), 351 (2), 352(3), 61 (2) of BNS, 2023 and Section 6 of POCSO Act, registered at Police Station Nehianwala, District Bathinda (Annexure P-1).

2. As per facts of the case, prosecutrix 'MD' gave her statement that she is about 15 years of age. Her father is driver by profession. She was studying in 10th standard at Akal Senior Secondary School, Mallan, District Sri Mukatsar Sahib. About 4 years ago, she met Lamber Singh @ Labhi who studied in 8th standard in Government Middle School, Barkandi. He expressed his liking for her but she declined his friendship. In February, 2024 Labhi again proposed for friendship and she again refused. About one month ago in October, he called her and threatened to misuse and defame



her by using her photographs. She started having conversation with him. On 19.11.2024 Labhi suggested a trip to Bathinda and promised to delete her photographs. On the next day, Labhi took her Goniana Bus Stand on his motorcycle where his friend Balkaran resident of his village joined them. They travelled to Bathinda and thereafter visited nearby medical store. Labhi gave her water by mixing a pill. After consuming water, she became disoriented. Labhi and Balkaran took her to Hotel Sky Hawk, where Balkaran had taken a room and thereafter he left. Labhi exploited her physically while she was under intoxication. They stayed in a hotel from 11 am to 1.30 pm. Thereafter, she was told to go away. Labhi's mother was aware of this relationship. With these allegations, present FIR has been registered.

3. Learned counsel for petitioner argued that there are no allegations of rape against him. He is falsely implicated in this case. Even as per facts of the case it is alleged that he had booked a room for the victim and main accused. Prosecution story is false and concocted one. He is ready to join investigation and abide by its terms and conditions.

4. Status report filed confirming the facts stated in the FIR. It is argued that present petitioner is specifically named and specific role is attributed to him. It is confirmed that main accused Lamber Singh @ Labhi was arrested and enquiry report qua him was presented before Juvenile Justice Board, Bathinda. Considering the gravity of offence, petitioner is not entitled to be released on anticipatory bail.

5. I have considered the arguments and have gone through the



contents of FIR. Allegations of rape are not against present petitioner. Main accused Lamber @ Labhi was apprehended by the police and is facing trial before Juvenile Justice Board. As per the facts, present petitioner helped the main accused and prosecutrix for booking the room in a Hotel Sky Hawk. He is ready to join the investigation as and when required. Therefore, considering the role attributed to him, no purpose would be served by sending him behind the bars. Therefore, anticipatory bail application filed by petitioner is allowed. He be not arrested. In case of his arrest, he be released on bail to the satisfaction of Arresting/Investigating Officer concerned, subject to condition that petitioner will join investigation as and when required. He will not tamper with or interfere with investigation and will not leave country without prior permission as provided under Section 482 (2) of BNSS, 2023.

6. Pending miscellaneous application(s), if any, stand disposed of accordingly as well.

(AMARJOT BHATTI)
JUDGE

08.04.2025
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Whether speaking/reasoned	:	Yes/No.
Whether reportable	:	Yes/No