

CRM-M-49367-2024 (O&M) and other connected case
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103(2 cases)

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

Date of Decision:- 07.11.2025

(1)

CRM-M-49367-2024 (O&M)

Deepak Kumar @ Deepak Rai ...Petitioner

Versus

State of Punjab ...Respondent

(2)

CRM-M-8948-2025

Raj Kaur ...Petitioner

Versus

State of Punjab ...Respondent

CORAM:-HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present: Mr. Iqbaldeep Singh, Advocate for
Mr. S.P.S. Sidhu, Advocate
for the petitioner in CRM-M-49367-2024.

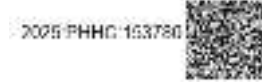
Ms. Pavneet Kaur, Advocate for
Mr. Ashok Kumar Khunger, Advocate
for the petitioner in CRM-M-8948-2025.

Mr. Jasjit Singh Rattu, DAG, Punjab.

AMARJOT BHATTI, J.(Oral)

1. Both aforementioned petitions have arisen out of same FIR,
therefore, same are taken up together for disposal.

2. Petitioner(s) Deepak Kumar alias Deepak Rai and Raj Kaur wife
of Balwinder Singh have filed separate petitions under Section 483 of
Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail in FIR



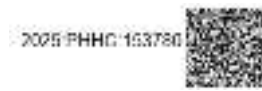
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No. 54 dated 29.03.2024 under Section 363, 366A of IPC (offence under Section 376/370/370A/372/120-B IPC and Section 3, 4 of POCSO Act, 2012 added later on) registered at Police Station City Muktsar, District Sri Muktsar Sahib.

3. As per facts of the case, complainant 'NS alias B' 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.

4. 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 were 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



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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 victim under Section 164 Cr.P.C. was recorded and offence under Section 376 of IPC and Sections 3 and 4 POCSO Act, 2012 were added vide Rapat No. 52 dated 04.04.2024. The investigation was completed and thereafter accused apprehended in this case were accordingly challaned.

5. Learned counsel for petitioner Deepak Kumar alias Deepak Rai in CRM-M-49367-2024 argued that he is falsely implicated in this case. Statement of alleged victim was recorded under Section 164 Cr.P.C. dated 09.04.2024. At that time, present petitioner was not named. Later on, complainant gave improved version and falsely nominated petitioner as accused. Version put forward by prosecutrix is highly improbable. She was travelling from one place to the other and never raised alarm nor tried to contact the police. Petitioner is behind the bars since 31.03.2024. Challan is already presented and petitioner is facing trial. At present statements of material witnesses have been recorded i.e. father of victim 'NS' as PW-1 who did not name present petitioner and secondly, victim herself as PW-2. During cross-examination, she did not identify present petitioner. Trial in this case may take long time. He will abide by terms of bail order. Therefore, his regular bail petition may be allowed.

6. Learned counsel representing petitioner Raj Kaur wife of Balwinder Singh in CRM-M-8948-2025 argued that she is falsely

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implicated in this case. No specific role is attributed to her. There is long delay in lodging report to police. Present petitioner is 62 years of age and is suffering from various ailments. She is behind the bars since 02.04.2024. She will abide by terms of bail order. Therefore, her regular bail petition may be allowed.

7. Regular bail petitions filed by petitioners are opposed. Detailed status report has been filed. It is pointed out that during the course of investigation, it was found that there are 10 accused persons involved in commission of offence. Both petitioners indulged in child trafficking. At the time of occurrence, victim was minor. Victim was sexually abused by different persons for money. Considering the gravity of offence and the manner in which it has been committed, petitioners are not entitled to be released on regular bail.

8. I have considered the arguments and have gone through the record carefully. Victim got missing on 24.01.2024 and finally she was recovered on 04.04.2024 from the house of Karan Kumar alias Rakesh Kumar. Her statement was recorded under Section 164 Cr.P.C. She narrated the facts and named some of the accused persons how they participated in commission of offence. She did not know them earlier. Factual position clarified during investigation. Both petitioners are behind the bars. Trial in this case is going on. Till date statement of father of victim has been recorded as PW-1, whereas, statement of victim is being recorded as PW-2. Her examination-in-chief was recorded partly on 18.08.2025. Remaining examination-in-chief was deferred and she was again recalled on 27.08.2025. On completion of her examination-in-chief,

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she is facing cross-examination which is still going on. When statement of victim was recorded in-chief, she did not identify one of the accused namely Deepak Kumar i.e. petitioner in CRM-M-49367-2024 and regarding other accused Raj Kaur, she duly identified her in examination-in-chief. Complete statement of victim has not been recorded till date. Facts as detailed by her in her statement recorded under Section 164 Cr.P.C., it is evident that minor victim was indulged in child trafficking. She was being taken from one place to the other by taking huge amounts. Victim was sexually exploited by different persons. In fact, victim fell into the trap of gang operating with child trafficking. Therefore, considering the gravity of offence and manner in which it has been committed, I am not inclined to grant regular bail to both petitioners i.e. Deepak Kumar alias Deepak Rai and Raj Kaur wife of Balwinder Singh and petitions filed by them i.e. **CRM-M-49367-2024** and **CRM-M-8948-2025** are, accordingly, dismissed.

9. Pending miscellaneous application(s), if any, in both cases, stand disposed of accordingly as well.

10. A photocopy of this order be placed on the file of connected case mentioned above.

07.11.2025

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(AMARJOT BHATTI)
JUDGE

Whether speaking/reasoned:
Whether reportable:

Yes/No
Yes/No