



CRM-M-10242-2025 (O&M)

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

CRM-M-10242-2025 (O&M)

Date of Decision:- 28.05.2025

Harpal Singh

...Petitioner

Vs.

State of Punjab and another

...Respondents

CORAM:-HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present:- Mr. Amandeep Singh Manaise, Advocate
for the petitioner.

Mr. Amit Shukla, DAG, Punjab.

AMARJOT BHATTI, J.(Oral)**CRM-17599-2025**

This is an application filed under Section 528 of Bharatiya
Nagarik Suraksha Sanhita, 2023 for placing on record deposition of victim-
PW1 as Annexure P-3.

For the reasons enumerated in application, same is allowed.
Accompanying document Annexure P-3 is taken on record, subject to all
just exceptions.

Main case

1. Petitioner – Harpal Singh has filed petition under Section 483 of
Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail in FIR
No. 116 dated 13.09.2022 under Section 376, 457, 506 of IPC registered at
Police Station Bhindi Saidan, District Amritsar Rural.



2. Facts of the case are, prosecutrix 'SK' gave her statement that her father is doing labour work, whereas, her mother is a domestic helper. On 07.09.2022, her father had gone to Jalandhar. Rest of the family after having meals went to sleep. At about 11:15 PM, she came out of her room for going to washroom and electric bulb outside their house was on. Harpal Singh suddenly came inside the house by scaling the wall and grabbed her arm. He forcibly took her outside the house in a vacant place and committed forcible rape with her. When family members noticed that she was not in the house they came outside in search of her. On hearing the alarm, he (Harpal Singh) ran away from the spot by threatening her not to disclose this fact to anybody. She was taken back in the house. On the next day, on the arrival of her father, matter was reported to police.

3. Learned counsel for petitioner argued that petitioner was arrested on 05.08.2024 and since then he is behind the bars. Allegations levelled against him are false. Learned counsel for petitioner pointed out that alleged prosecutrix had filed criminal writ petition No. 5212 of 2024 seeking protection of their life and liberty from the hands of private respondents detailed therein and in that case they were provided protection vide order dated 31.05.2024 (Annexure P-2). At present, statement of prosecutrix has been recorded as PW-1, where she did not support prosecution story. Petitioner is ready to abide by terms and conditions of bail order. Therefore, his regular bail petition may be allowed.

4. Bail petition is opposed by learned counsel representing State of Punjab. Facts narrated in FIR are confirmed. It is mentioned that as per school record, prosecutrix was born on 05.08.2004. Investigation was

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completed and thereafter, challan was presented. Charge-sheet is also framed as per order dated 04.01.2025 and prosecution evidence is being recorded. Allegations against the petitioner are serious in nature. Therefore, he does not deserve regular bail.

5. I have considered the aforesaid factual position. Petitioner is behind the bars since 05.08.2024. He has joined investigation and is facing trial. At present statement of prosecutrix has been recorded as PW-1 which is annexed with bail petition as Annexure P-3. As per this statement, she was declared hostile. Other prosecution witnesses are yet to be examined. Testimony of witnesses will be considered by the trial Court at appropriate stage. Considering the aforesaid factual position, regular bail petition filed by petitioner Harpal Singh is allowed. He is ordered to be released on bail on furnishing bail bonds and surety bonds to the satisfaction of trial Court/Duty Judge concerned.

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

28.05.2025*lalit***(AMARJOT BHATTI)
JUDGE**

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