



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

CRM-M-11765-2025 (O&M)

Date of Decision:29.04.2025

Nachhtar Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present:- Mr. Saurav Bhatia, Advocate for the petitioner.

Mr. Jasjit Singh, DAG, Punjab.

JASGURPREET SINGH PURI J.(Oral)

1. The present petition has been filed under Section 483 of BNSS for grant of regular bail to the petitioner in case bearing FIR No.137 dated 19.10.2024 under Sections 331(6), 115(2), 3(5), 137(2) and 67 of BNS, 2023 registered at Police Station SBS Nagar.

2. Learned counsel appearing on behalf of the petitioner submitted that the petitioner has been in custody for about 5 months and 19 days. He submitted that as per the allegations, the petitioner had enticed away a minor girl of the age of 16 years. He further submitted that at the time of recording of statement under Section 164 of the Code of Criminal Procedure, the prosecutrix did not state that she was forcibly taken away by the petitioner. Therefore, it is prayed that the petitioner may be considered for the grant of regular bail.

3. On the other hand, learned State counsel has today filed a reply on behalf of the respondent-State before this Court, which is taken on



record. A copy of the same has been supplied to the counsel opposite, who is present in Court today and he has gone through the aforesaid reply. Learned State counsel submitted that considering the seriousness and gravity of the offence, the petitioner does not deserve the concession of regular bail. He further referred to Para No. 9 of the reply, wherein it has been stated and described that the petitioner is a habitual offender as he is involved in as many as 17 cases and details of the same have been given in a tabulated form. Although in some of the cases he has been acquitted but in one case registered under Sections 323, 325, 148, and 149 of the IPC, he has been convicted and in some of the cases he is under-trial. He submitted that even otherwise, in the present case none of the prosecution witnesses has been examined till today and considering the antecedents of the petitioner, if he is released on bail, he may influence the material witnesses, including the victim. Therefore, in view of the aforesaid facts and circumstances, the petitioner does not deserve the concession of regular bail.

4. I have heard the learned counsels for the parties.

5. The custody of the petitioner is stated to be 5 months and 19 days. As per the learned counsels for the parties, none of the prosecution witnesses have been examined. The allegations against the petitioner are pertaining to enticing away of a minor girl. According to the learned State counsel, based on the affidavit filed by the respondent-State, the petitioner is a habitual offender and is involved in 17 other cases. Out of these, he has been acquitted in some cases, convicted in one case, and he is under-trial in some of the cases. The apprehension expressed by the learned State counsel



that, in case the petitioner is released on bail, he may influence the material witnesses, including the victim, carries weight and cannot be ignored, especially since no prosecution witness has been examined till date. This Court is of the view that, considering the seriousness and gravity of the offence, the present petitioner does not deserve the grant of regular bail.

6. Consequently, finding no merit in the present petition, the same is hereby dismissed.

7. 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 petition only.

(JASGURPREET SINGH PURI)
JUDGE

29.04.2025

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