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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-16509-2025 (O&M)
Date of Decision: 01.04.2025

Raja Singh @ Raja

....Petitioner(s)

Versus

State of Punjab

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Charitr Kadyan, Advocate, for
Mr. V.K. Kaushal, Advocate, the petitioner.

Mr.P.S. Bhandari, AAG. 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 FIR No.59 dated 17.07.2023, under Section 376 IPC and Section 4 of Protection of Children from Sexual Offences Act (Amended), 2012, registered at Police Station Chola Sahib, District Tarn Taran.

2. Learned counsel appearing on behalf of the petitioner submitted that it is a case where the petitioner is in custody for 1 year, 8 months and 11 days and investigation of the case has been completed and thereafter, the challan has been presented. He submitted that the petitioner has been falsely implicated in the present case and considering the custody of the petitioner, he may be considered for the grant of regular bail.

3. On the other hand, Mr.P.S. Bhandari, learned AAG, Punjab



appearing on behalf of the State of Punjab submitted that the allegations against the petitioner are very serious because as per the allegations, he kidnapped a 13 years old girl from her house and committed rape upon her and thereafter she was found in a Gurudwara Sahib from where she was recovered. He also submitted that the mother of the prosecutrix is mentally ill which aggravates the offence because daughter of a mentally ill mother was kidnapped and raped and she was also of the age of 13 years and considering the gravity of the offence, the petitioner is not entitled for the grant of regular bail.

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

5. Although the custody of the petitioner is stated to be 1 year, 8 months and 11 days but as per the allegations, the petitioner had taken away a 13 years old girl from her house and after committing rape upon her, she was found in a Gurudawara Sahib from where she was recovered. The mother of the victim girl is stated to be mentally ill. This Court is in agreement with the argument raised by the learned State counsel. Therefore, considering the gravity and seriousness of the offence involved, the petitioner does not deserve the concession of regular bail.

6. Consequently, the present petition is dismissed.

7. However, anything observed hereinabove shall not be treated as an expression of opinion on merits of the case and is meant for the purpose of deciding the present petition only.

01.04.2025

rakesh

(JASGURPREET SINGH PURI)

JUDGE

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