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

CRM-M-17223-2025(O&M)

Date of Decision:-29.04.2025

Gurpreet Singh @ Gaurav @ Goru

...Petitioner

Vs.

State of Punjab

...Respondent

CORAM:-HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present:- Ms. Neha Randhawa, Advocate for
Mr. Rhythem Bajaj Advocate for petitioner.

Ms. Aditi Girdhar, AAG, Haryana.

AMARJOT BHATTI, J.

1. The petitioner – Gurpreet Singh @ Gaurav @ Goru has filed petition under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail in FIR No.163 dated 09.08.2024, under Sections 137(2), 96 of BNS, 2023 (Section 64 of BNS, 2023 and Section 4 of POCSO Act, 2012 were added later on), registered at Police Station City-1, Abohar, District Fazilka (Annexure P-1).

2. As per the facts of case, complainant mother of the victim gave her statement that earlier she was married to Pappu Singh who expired. Thereafter, she performed marriage with Baldev Singh. She is having a daughter i.e. the victim aged about 17 years who studied up to 5th class. On 28.07.2024, she along with her family slept in the courtyard and at about 3:30 AM when she woke up, she noticed that her daughter was not in the house. The door of the house was open. She along with her husband



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searched for her but could not locate her whereabouts. Thereafter, she came to know that Gaurav @ Goru had taken away her daughter on the pretext of marriage. With these allegations, present FIR has been registered.

3. Learned counsel for petitioner argued that the FIR was lodged due to some misunderstanding. During trial statements of material witnesses have been recorded i.e. the complainant as PW-1 (Annexure P-3) and alleged victim as PW-2 (Annexure P-4) where both the witnesses have not supported their version recorded before the police and were declared hostile. Petitioner is ready to face the trial and abide by the terms of bail order. He is in custody since long and trial in this case may take long time. Therefore, his regular bail petition may be allowed.

4. Bail petition is opposed by learned counsel representing State. Detailed status report has been filed. It is pointed out that date of birth of the victim is 31.08.2007 and at the time of alleged occurrence, she was 16 years, 10 months and 28 days old. Her statement was recorded before the learned Magistrate under Section 183 of BNSS which is Annexure R-1/T. After completion of investigation, challan was presented on 30.12.2024 and the charges were framed on 04.01.2025. Till date 03 prosecution witnesses have been examined. There are serious allegations against the petitioner. Therefore, he is not entitled to be released on bail.

5. I have considered the arguments and have gone through the record. Trial in this case is in progress. Petitioner is in custody since 03.10.2024. It is a matter of record that statements of complainant and the victim have been recorded as referred above which are Annexure P-3 and

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P-4 respectively, where they did not support the prosecution case. Other material witnesses are yet to be examined. The learned trial Court will consider the testimony of aforesaid witnesses at appropriate stage. Therefore, considering the aforesaid factual position, without expressing my mind on merits of the case, regular bail petition filed by petitioner – Gurpreet Singh @ Gaurav @ Goru 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.

29.04.2025*Sunil Devi***(AMARJOT BHATTI)**
JUDGEWhether speaking/reasoned:
Whether reportable:Yes/No
Yes/No