



CRM-M-24030-2024

-1-

230

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

CRM-M-24030-2024

Date of Decision:- 10.01.2025

Harshdeep Singh

...Petitioner

Vs.

State of Punjab and another

...Respondents

CORAM:-HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present:- Dr. Khushbir Kaur Bhullar Waraich, Advocate
for the petitioner.

Mr. Gautam Thapar, AAG, Punjab.

Mr. Vishal Handa, Advocate
for respondent No. 2.

Mr. Deepak Sabharwal, Standing Counsel
for CBI.

AMARJOT BHATTI, J.(Oral)

1. Petitioner – Harshdeep Singh has filed petition under Section 439 Cr.P.C. for grant of regular bail in FIR No. 45 dated 25.03.2024 under Section 295-A/354/147/149 IPC registered at Police Station Civil Lines, District Amritsar, Punjab (Annexure P-1).

2. As per facts of case, complainant Purushottam Kishan Handa, Chairman of Ancient Shivala Temple, Rani Ka Bagh, Amritsar gave his statement that on 25.03.2024, Holi festival was being celebrated by

**CRM-M-24030-2024****-2-**

Committee of their temple. At about 12:00/01:00 pm (Noon), some unknown young boys came inside temple and started creating ruckus. They indulged in arguments with members of temple committee and also started throwing eggs in temple premises. During this act, egg was also thrown on statue of lord Krishna kept in temple. Due to this, religious sentiments of members of temple and devotees were hurt. Said boys also started molesting and misbehaving with girls in temple. One of the boy entered ladies bathroom where a little girl age 6-7 years was forcibly grabbed by boy and he used force on her. Child started crying loudly. Members of temple committee caught hold of boy who disclosed his name as Harshdeep Singh. It is alleged that religious sentiments of devotees were hurt. With these allegations, present FIR has been registered.

3. Learned counsel for petitioner argued that petitioner was falsely implicated in this case. No such occurrence took place. Petitioner did not do anything to hurt religious feelings of devotees. Even otherwise, matter has been settled with complainant. Copy of compromise deed and affidavit of complainant are Annexures P-3 and P-4 respectively. No such incident is captured in CCTV footage. Till date statement of no girl or her parents has been recorded regarding alleged molestation. Petitioner is in custody since 25.03.2024. He is ready to abide by terms of bail order. Therefore, his regular bail petition may be allowed.

4. Bail petition is opposed by learned counsel representing State. There are status reports placed on record from time to time regarding investigation carried out by police. As per status report dated 29.05.2024 filed by Commissioner of Police, Amritsar, investigation was carried out by

**CRM-M-24030-2024****-3-**

ASI Gurjit Singh, Incharge Police Post Court Complex, Police Station Civil Lines, Amritsar. As per this status report, statement of accused Harshdeep Singh was recorded during investigation. After Holi festival, all devotees left temple premises. On the basis of CCTV footage, effort was made to find out girl victim and her father but their identities could not be established. It is also confirmed that alleged molestation and throwing of eggs were not captured in CCTV footage. Thereafter, there is status report dated 07.08.2024 by Commissioner of Police, Amritsar and despite efforts, identities of said girl and her father could not be established. There are other status reports dated 05.09.2024, 24.09.2024 and 30.10.2024 confirming aforesaid factual position. It has also come in these status reports that faces of devotees were smeared with colour due to Holi festival. Therefore, they were not clearly visible. In the light of this, till date police could not establish identities of girl as well as her father and investigation is still going on.

5. I have considered the aforesaid factual position. Alongwith regular bail petition, one compromise deed and affidavit of respondent No.2 are annexed as Annexures P-3 and P-4. In status report, it has come into light that incident of said molestation and throwing of eggs was not captured in CCTV footage. Till date, statement of said minor girl or her father could not be recorded regarding allegations of molestation since their identities could not be established. Petitioner is in custody since 25.03.2024. He cannot be kept behind bars for indefinite time period. Investigation of this case may go on as per law. In the light of this, regular bail petition filed by petitioner – Harshdeep Singh is allowed. He is

**CRM-M-24030-2024****-4-**

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.

10.01.2025

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

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No