



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

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CRM-M-23478-2025

Date of decision : 17.07.2025

Jaspreet Singh Bains

.....Petitioner

versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE NAMIT KUMAR

Present: Mr. Naveen Batra, Advocate for the petitioner.

Mr. Anup Singh, A.A.G., Punjab.

NAMIT KUMAR, J. (ORAL)

1. The present petition has been filed by the petitioner under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail to the petitioner in case bearing FIR No.28 dated 05.02.2020 registered under Sections 354, 354-A, 506, 384, 376 & 120-B of Indian Penal Code, 1860; Section 77 of Juvenile Justice Act, 2015 and Sections 6, 8, 12, 14, 15 & 16 of Protection of Children from Sexual Offence Act, 2012 at Police Station City Rupnagar, District Rupnagar.

2. Status report by way of an affidavit of Sh. Rajpal Singh Gill, PPS, Deputy Superintendent of Police, Sub Division and District Rupnagar, on behalf of the respondent-State, filed in the Registry is taken on record.

3. Brief facts of the case are that on 05.02.2020, Gagandeep Kaur and Kiranpreet Kaur, both members of Child Welfare Committee, Rupnagar along with complainant/victim and mother of victim met the police party headed by SI Baljinder Kaur at Bela Chowk, Rupnagar and



gave an application along with statement of victim recorded by Child Welfare Committee to SI Baljinder Kaur. The victim in her statement stated that three years ago, she was studying in Sahibzada Ajit Singh Academy. They were tenants in the house of Paramjit Singh situated in Adarsh Nagar, Rupnagar. Jatinder Singh son of Paramjit Singh tried to commit wrong deeds with her. When she was going to study at the house of Supriya Madam, they used to give her cigarette, liquor and other injection. They used to give liquor by some thing mixing in it and they place something on foil paper when they gave her cigarette. Supriya madam made her obscene videos and on the basis of said obscene videos she blackmailed her and she extracted money and ornaments. Supriya madam circulated the obscene videos in her group. She is having three mobile phones and the obscene videos are in her apple phone. She mentioned the names of Jaspreet Singh Bains (the present petitioner), Manjinder Singh (Bittu), Jaswinder Singh, Jatinder Singh (Sonu), Supriya and Paramjit Kaur (Simran) in her statement. On the basis of her statement, the instant FIR was registered.

4. Learned counsel for the petitioner, inter alia, submits that the petitioner is innocent and has been falsely implicated in the present case. He submits that the instant FIR has been lodged after about 03 years of the alleged occurrence and there is no explanation regarding the said delay. He submits that initially no allegation regarding Section 376 of IPC was made, however, the same was added later on by way of amendment of charge. He has submitted that during the investigation, swab was taken and sent for DNA profile but the same was found

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negative and thus, even the ocular version has not been medically corroborated. He further submits that there are total 06 accused, including the petitioner, and other five accused have been granted the concession of regular/anticipatory bail. The main accused namely Jatinder Singh has been granted concession of regular bail by the Coordinate Bench of this Court, vide order dated 30.09.2024, passed in CRM-M-45184-2024; co-accused Supriya has been granted ad interim anticipatory bail, vide order dated 20.02.2020, which has been confirmed, vide order dated 19.07.2021, passed by the Coordinate Bench of this Court in CRM-M-7643-2020 and co-accused Jaswinder Singh has been granted concession of regular bail by the Coordinate Bench of this Court, vide order dated 05.07.2021, passed in CRM-M-24089-2021. He also submits that the petitioner is behind the bars since 28.05.2022, all the prosecution witnesses have been examined and the trial is fixed for defence evidence which may take a considerable time to conclude and therefore, no fruitful purpose would be served by detaining the petitioner behind the bars.

5. Per contra, learned State counsel, while referring to the averments made in the status report, has vehemently opposed the prayer for grant of regular bail to the petitioner on the ground that the allegations against the petitioner are serious in nature. However, he could not refute the factual position that all the prosecution witnesses have been examined and the trial is fixed for defence evidence. He has also produced custody certificate dated 16.07.2025 in the Court which is

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taken on record. As per the custody certificate, the petitioner is in custody for the last more than 03 years.

6. I have heard learned counsel for the parties and perused the record.

7. Keeping in view the custody period of the petitioner, which is 03 years, 01 month and 18 days and the facts that all the five co-accused have been granted concession of regular/anticipatory bail, all the prosecution witnesses have been examined and the trial is pending for defence evidence which may take a considerable time to conclude, therefore, the petitioner is ordered to be released on regular bail during trial on his furnishing bail bonds/surety bonds to the satisfaction of Illaqa Magistrate/Trial Court.

8. The petition stands disposed of accordingly.

9. 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.

17.07.2025*kothiyal***(NAMIT KUMAR)
JUDGE**

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No