



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

212

CRM-M-26912-2024  
Date of decision : 01.05.2025

Mandeep Singh .....Petitioner

versus

State of Punjab .....Respondent

**CORAM: HON'BLE MR. JUSTICE NAMIT KUMAR**

Present: Mr. Balbir Singh Jaswal, Advocate for the petitioner.  
Mr. Anup Singh, A.A.G., Punjab.  
None for the complainant.

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**NAMIT KUMAR, J. (ORAL)**

1. The petitioner has filed the instant petition under Section 439 of Code of Criminal Procedure, 1973 for grant of regular bail in case FIR No.94 dated 02.06.2023 registered under Sections 363, 366-A, 376 and 120-B of Indian Penal Code, 1860 and Section 4 of Protection of Children from Sexual Offence Act, 2012 at Police Station Majitha, District Amritsar.

2. Short reply by way of an affidavit of Sh. Amolak Singh, PPS, Deputy Superintendent of Police, Sub Division Majitha, Amritsar (Rural), on behalf of the respondent-State, has been filed in the Court which is taken on record.

3. Brief facts of the case are that complainant-Jaswinder Kaur made a statement before the police stating that on 01.06.2023, when she found her elder daughter, whose age is 12 years and 04 months, missing from the house then she and her husband tried to search her at their own



level but could not find her. On inquiry, they came to know that their daughter was enticed away by their neighbour boy namely Husanpreet Singh s/o Harinder Singh by alluring her to solemnize marriage with her and the mother of Husanpreet Singh namely Rita is also involved in the commission of offence. On the basis of said statement, the instant FIR was registered. During investigation, accused- Husanpreet Singh was arrested and the daughter of the complainant was got recovered. In her statements got recorded with the police and under Section 164 of Cr.P.C. the victim girl, specifically named the petitioner, who helped the main accused Husanpreet Singh in enticing her from her house.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in the present case. The only allegation against the petitioner is that he took gold chain from the victim girl and after selling the same, gave Rs.25,000/- to her and co-accused Husanpreet Singh at the time when the co-accused Husanpreet Singh enticed her on the false pretext of marriage. He further submits that similarly placed co-accused Paramjit Kaur @ Reeta i.e. mother of main accused Husanpreet Singh, has been granted concession of anticipatory bail by this Court vide order dated 22.11.2023. The petitioner is in custody since 20.08.2023 and he is not involved in any other case. He further submits that investigation in the present case is complete; challan has been presented; charges have been framed and out of total 22 prosecution witnesses, only 10 have been examined so far. He further submits that the trial may take a



considerable time to conclude, therefore, no fruitful purpose would be served by detaining the petitioner behind bars.

5. On the other hand, learned State counsel has vehemently opposed the grant of regular bail to the petitioner on the ground that the petitioner had helped the main accused Husanpreet Singh in enticing the minor girl from her house. However, he conceded the fact that the investigation in the present case is complete; challan has been presented; charges have been framed and out of total 22 prosecution witnesses, 10 have been examined. He has also filed custody certificate in the Court which is taken on record. As per the custody certificate, the petitioner is in custody since 20.08.2023 and he is not involved in any other case.

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 01 year, 08 months and 10 days and the facts that co-accused Paramjit Kaur @ Reeta, who is mother of main accused Husanpreet Singh, has been granted concession of anticipatory bail by this Court vide order dated 22.11.2023; investigation is complete; challan has been presented; charges have been framed; out of total 22 prosecution witnesses, only 10 have been examined so far; the petitioner is not involved in any other case and the trial 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.



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- 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.

01.05.2025  
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(NAMIT KUMAR)  
JUDGE

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|----------------------------|--------|
| Whether speaking/reasoned: | Yes/No |
| Whether Reportable:        | Yes/No |