



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

CRM-M-24875-2025 (O&M)

Date of Decision:13.05.2025

Abhi @ Abhishek

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present:- Mr. Raj Kumar Arya, Advocate for the petitioner.

Mr. M.S. Bedi, Advocate General, Punjab, assisted with
Mr. Sahil Chowdhary, 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 case bearing FIR No.0033 dated 21.03.2025 under Sections 137(2) and 96 of BNS, registered at Police Station Qadian, Police District Batala.

2. Learned counsel appearing on behalf of the petitioner submitted that the petitioner has been in custody for about 01 month and 12 days and as per the allegations contained in the FIR, the prosecutrix/victim, who is the daughter of the complainant, was enticed away by the petitioner. He submitted that although the age of the prosecutrix was about 16½ years at the time of the incident but it was not a case of kidnapping because it was the version of the prosecutrix before the learned Magistrate, while recording the statement under Section 183 of BNSS that she had voluntarily gone to the Golden Temple, Amritsar, after she fought with her



mother. He submitted that in view of the above as the petitioner is innocent, he may be considered for the grant of regular bail

3. On the other hand, learned State counsel submitted that insofar as the custody of the petitioner is concerned, the same is correct. He submitted that the matter is still at the investigation stage and it is yet to be determined whether the prosecutrix left her house voluntarily or, as per the allegations in the FIR, was enticed away by the petitioner. He further submitted that there is a reasonable apprehension that, if the petitioner is released on bail, he may not only abscond or flee from justice but may also influence witnesses, including the prosecutrix and therefore, the petitioner does not deserve the concession of regular bail.

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

5. The petitioner is stated to be in custody for about 01 month and 12 days. As per learned counsel for the petitioner, although allegations are made in the FIR that the prosecutrix, who was a minor was enticed away by the petitioner but he thereafter stated that the prosecutrix had gone voluntarily as she herself had stated in her statement under Section 183 of BNSS that she had gone voluntarily Golden Temple, Amritsar after she fought with her mother. However, learned State counsel submitted that the investigation is still ongoing and it is yet to be determined whether the prosecutrix left her house of her own accord or was enticed away by the petitioner.

6. This Court, after hearing learned counsels for the parties and without expressing anything on the merits of the case and considering the gravity and seriousness of the offence, the stage of the trial and the



apprehension expressed by learned State counsel as aforesaid, does not deem it fit and proper to grant bail to the petitioner.

7. Consequently, finding no merit in the present petition, the same is hereby dismissed.

8. 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.

(JASGURPREET SINGH PURI)
JUDGE

13.05.2025

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