

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

2025:PHHC:078683



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CRM-M-27145-2025 (O&M)

Date of Decision: 03.07.2025.

Jasbir Singh

...Petitioner.

Versus

State of Punjab

...Respondent.

CORAM: HON'BLE MRS. JUSTICE SUKHVINDER KAUR

.....

Present: Mr. V.K. Sandhir, Advocate for the petitioner.

Mr. P.S. Pandher, AAG, Punjab.

SUKHVINDER KAUR, J. (Oral)

Present petition has been filed under Section 482 of BNSS, 2023 for grant of anticipatory bail to the petitioner in FIR No.21 dated 04.04.2025 under Section 61(2) of BNS and Sections 3 and 4 of POCSO Act, registered at Police Station Bhindi Saidan, District Amritsar.

The relevant facts of the present case are that on 03.04.2025, when son of complainant aged about 8 years had gone to Gurudwara Sahib opposite to his house, accused committed sodomy with him on the instigation of the petitioner.

Learned counsel for the petitioner has contended that the petitioner has been falsely implicated in the present case only on the basis of suspicion that the alleged crime in the present case was committed by co-accused Raja Singh at instigation of the petitioner. There is nothing on record that the petitioner was present at the spot and nothing is to be recovered from the petitioner. He prayed that custodial interrogation of

the petitioner is not required and he is ready and willing to join the investigation and this bail application be allowed.

Notice was issued in this case on 26.05.2025 and status report was called from the State, which was filed in the court on 29.05.2025 and the same is taken on record.

Per contra, learned State counsel has opposed the bail application while contending that the allegations levelled against the petitioner are serious in nature and as such he is not entitled to the concession of anticipatory bail.

Heard.

As per the status report brought on record, on 17.04.2025, the victim was produced before learned Judicial Magistrate Ist Class, Ajnala Amritsar, who recorded his statement under Section 183 BNSS, wherein he alleged that Raja Singh had committed anal intercourse with him on asking of the petitioner and while doing so the petitioner had caught the victim. Thus, there are serious and specific allegations against the petitioner regarding his actively participating for facilitating the commission of offence of sexual assault committed by co-accused Raja Singh upon the minor victim, a child of about eight years. So, the custodial interrogation of the petitioner is required for fair investigation of the case.

Also keeping in view the seriousness of allegations and gravity of the offence allegedly committed by the petitioner, no ground is made out for granting anticipatory bail to the petitioner.

Dismissed.

However, nothing observed herein above shall be construed to be an expression of opinion on the merits of the case. The observations recorded above are only for the purpose of deciding the present bail petition.

(SUKHVINDER KAUR)
JUDGE

03.07.2025.
Komal

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