



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

216

CRM-M-28426-2025

Date of decision : 27.05.2025

Punjab Singh

.....Petitioner

versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE NAMIT KUMAR

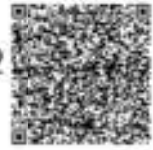
Present: Mr. S.K. Sirsa, Advocate for the petitioner.

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

NAMIT KUMAR, J. (ORAL)

1. The petitioner has filed the instant petition under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail in case FIR No.39 dated 05.06.2024 registered under Sections 354 & 506 of Indian Penal Code, 1860 and Section 8 of Protection of Children from Sexual Offence Act, 2012 at Police Station Sarai Amanat Khan, District Tarn Taran.

2. Brief facts of the case are that complainant-Sarabjit Kaur made a statement to the police alleging therein that on 01.06.2024, she along with her sister-in-law's daughter, aged about 16 years, was present at home and other family members had gone out to cast their votes. At about 10:00 a.m., when she was taking rest in her room, she heard the cries of the prosecutrix. She ran out of her room and saw Punjab Singh (the present petitioner) running out of their house. When she saw the prosecutrix, she was frightened and on asking, she told her that accused Punjab Singh came inside her room and forcibly held her arm and when she stopped him, he threatened her with dire consequences. The



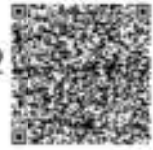
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prosecutrix tried to stop him but he did not mend his ways and kissed her on her face. When the prosecutrix raised an alarm, the accused fled from the spot. On the basis of the said statement, the instant FIR was registered. During investigation, statement of the prosecutrix under Section 164 of Cr.P.C. was recorded. The accused was surrendered himself in the Court on 17.11.2024.

3. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in the present case. He submits that the petitioner is in custody since 27.11.2024 and 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 10 prosecution witnesses, 04 including the victim girl, her mother and complainant have been examined before the Trial Court, who have not supported the case of the prosecution and have been declared hostile. 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.

4. Learned counsel for the petitioner further submits that the matter has been compromised between the parties and the petitioner has also filed petition bearing No.CRM-M-6749-2025 for quashing of the FIR in question on the basis of compromise dated 12.08.2024 arrived at between the parties, which is pending before this Court on 25.08.2025.

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 committed serious offence. However, she conceded the

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fact that the investigation in the present case is complete; challan has been presented; charges have been framed and out of total 10 prosecution witnesses, 04 have been examined so far. She has also filed custody certificate dated 26.05.2025 in the Court which is taken on record. As per the custody certificate, the petitioner is in custody for the last more than 05 months 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 05 months and 29 days and the facts that investigation in the present case has been completed, challan has been presented; charges have been framed and out of total 10 prosecution witnesses, 04 including the victim girl, her mother and complainant have been examined, who have not supported the case of the prosecution and have been declared hostile; 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.

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.

27.05.2025*kothiyal***(NAMIT KUMAR)
JUDGE**

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No