



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

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CRM-M-29435-2025

Date of decision : 26.09.2025

Gagandeep @ Deepu

.....Petitioner

versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE NAMIT KUMAR

Present: Mr. Munish Puri, Advocate for the petitioner.

Mr. Hemant Aggarwal, D.A.G., Punjab.

None for the complainant.

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 in case bearing FIR No.139 dated 24.12.2024 registered under Sections 115(2), 126(2), 3(5) & 74 of Bharatiya Nyaya Sanhita, 2023 and Section 8 of Protection of Children from Sexual Offence Act, 2012 at Police Station Sujjanpur, District Pathankot.

2. Learned State counsel has produced copy of General Diary No.14 dated 16.09.2025, whereby the complainant and victim have been informed about the pendency of the present petition and the next date of hearing fixed in the same. However, none has put in appearance before the complainant and victim.

3. Brief facts of the case are that on 24.12.2024, the mother of the victim made a statement before the police that on 21.12.2024 at

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about 2:00 p.m., she had gone out of the house for some work and when she returned back, she saw that the petitioner had come to her house. The petitioner was fighting with her elder daughter, who was alone at home and she was crying. The petitioner also hit the complainant and ran away from the spot. Thereafter, the complainant along with victim and her younger daughter went to the house of the petitioner and a scuffle took place there. On the next day, the petitioner along with co-accused caused injuries to the complainant and her brother Sanjiv. On the basis of the said statement, the instant FIR was registered.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in the present case. He submits that no specific allegation was made against the petitioner in the FIR, however, after 37 days, vide General Diary Report No.17 dated 04.02.2025 (Annexure P-3), the complainant got recorded the statement of her daughter stating therein that the petitioner tried to do wrong act with her. He touched on wrong part of her body, bites her hand and put marks on her whole body with his nails. He further submits that in the MLR of the victim, there is nothing about nail marks and bite injury.

5. Learned counsel for the petitioner further submits that the petitioner is behind the bars since 04.02.2025 and he is not involved in any other case. He also submits that investigation in the present case is complete; challan stands presented on 29.03.2025 and the charges are yet to be framed; there are total 19 prosecution witnesses which are yet to be examined. The trial is likely to take a considerable time to

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

6. 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 challan stands presented on 29.03.2025, however, the charges are yet to be framed. He has also filed custody certificate dated 25.09.2025 in the Court which is taken on record. As per the custody certificate, the petitioner is behind the bars since more than last seven months. Custody certificate further shows that the petitioner is not involved in any other case.

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

8. Keeping in view the custody period of the petitioner which is 07 months and 20 days and the facts that the investigation has been completed; challan has been presented; charges are yet to be framed; there are total 19 prosecution witnesses which are yet to be examined; 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.

9. The petition stands disposed of accordingly.



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10. 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.

26.09.2025

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(NAMIT KUMAR)
JUDGE

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