



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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1) CRM-M-34522-2025
Decided on : 18.11.2025

Ramandeep Singh @ Raman . . . Petitioner(s)

Versus

State of Punjab . . . Respondent(s)

2) CRM-M-40776-2025 (O&M)

Pawandeep Singh @ Pawan . . . Petitioner(s)

Versus

State of Punjab . . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Ms. Deepika, Advocate for
Mr. Sandeep Kumar Yadav, Advocate,
for the petitioner(s) (in CRM-M-34522-2025).

Mr. Madan Sandhu, Advocate
for the petitioner(s) [in CRM-M-40776-2025 (O&M)].

Mr. Manjinder S. Bhullar, DAG, Punjab,
Mr. Bareen Pratap Singh, AAG, Punjab.

SANJAY VASHISTH, J. (Oral)

1. This order shall dispose of CRM-M-34522-2025 & CRM-M-40776-2025 (O&M), as both the petitions are interconnected and have arisen out of same FIR. However, the lead case is CRM-M-34522-2025.
2. The instant petitions have been filed under Section 483 of BNSS, 2023 (earlier Section 439 Cr.P.C.), for grant of regular bail to the petitioners, during the pendency of trial, who have been booked in a criminal case arising out of First Information Report, as detailed here-under:-

Name of Petitioner(s)	FIR No.	Date	Section(s)	Police Station	District
Ramandeep Singh @ Raman (petitioner in	15	24.02.2025	3, 4 of POCSO Act, 2012 [S. 6 of POCSO Act, 2012,	Dhilwan	Kapurthala

CRM-M-34522-2025)			added later on]		
Pawandeep Singh @ Pawan (petitioner in CRM-M-40776-2025 (O&M))					

3. As per allegations in the FIR, (I) Ramandeep Singh @ Raman (petitioner in CRM-M-34522-2025), (ii) Pawandeep Singh @ Pawan (petitioner in CRM-M-40776-2025), and (iii) Manpreet Singh, have sexually abused the child of the age of about 12 years on 21.02.2025. FIR was got registered by Manpreet Kaur, who is related as mother of the victim child. As per the allegations in FIR, when the complainant reached to the victim child, then the victim child told her that aforesaid accused have sexually abused him one after the other. Same was the statement of the victim child on 27.03.2025, when his statement was recorded before the Ld. Judicial Magistrate Ist Class, Kapurthala.

However, during the Medico Legal Examination on 26.02.2025 in the column of ‘General Condition’, no injury on any part of the anal area was noticed. The description mentioned in the MLR reads as under:-

General Condition	<i>Patient is calm, conscious, co-operative and well oriented to time, place and person. Vitals are within normal limits.</i> <i>On local examination</i> <i>1) No externally visible fresh injury seen over gluteal region at time of examination.</i> <i>2) No perianal externally visible injury seen at time of examination. Anal sphincter is normal at time of examination. Anal reflex is normal. Gait is normal. No blood/foreign material present. No perianal laceration present.</i> <i>3) History of bath after alleged h/o sexual assault</i> <i>4) History of changing of clothes present. Alleged clothes worn at the time of incident by the patient are sealed and are handed over to the police personnel.</i> <i>5) Advise – Surgeon opinion for protoscopic examination from Civil Hospital Kapurthala</i>
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	<i>is advised.</i> 6) <i>Following samples are taken</i> 1) <i>blood sample</i> 2) <i>high anal swab sample</i> 3) <i>low anal swab sample</i> 4) <i>perianal swab sample</i>
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4. Both the petitioners are inside jail for a period of more than 08 months. During the course of trial, the complainant Manpreet Kaur (mother of the victim child) appeared in the witness box and did not support the prosecution version. Similarly, Jasbir Singh, brother-in-law of the complainant, who had accompanied her in searching for the child, has also been examined and has not supported the case of the prosecution. The victim child, who was examined as PW-3, has also not corroborated the allegations levelled in the FIR and thus, has failed to support the prosecution story on material aspects.

In view of the above factual position, and considering that all three material witnesses have resiled from their earlier versions, learned counsel for the petitioners submits that their continued incarceration will serve no useful purpose, and therefore prays for grant of regular bail.

5. On the other hand, learned State counsel, while filing custody certificates dated 17.11.2025 in Court today, which are taken on record subject to all just exceptions, opposes the prayer for bail. It is submitted that the allegations in the FIR are grave in nature and pertains to an offence under the POCSO Act, involving a child of tender age. It is argued that merely because some of the witnesses have resiled from their previous statements, petitioners cannot automatically claim bail at this stage, as the prosecution is yet to examine the remaining material witnesses, including the medical experts.

However, learned State counsel does not dispute that both the

petitioners are in custody for more than 08 months, and that the complainant – Manpreet Kaur (mother of the victim child), Jasbir Singh (brother-in-law of the complainant), and the victim child himself, have been examined before the trial Court and they have not supported the prosecution version.

6. I have heard learned counsel for the parties and perused the material available on record.

From the deposition of the material witnesses already examined, it is noticeable that:

- (i) The complainant (mother of the victim) and Jasbir Singh have not supported the prosecution's case in their on-oath statements;
- (ii) The victim child, examined as PW-3, has also not supported the allegations recorded in the FIR or in his statement under Section 164 Cr.P.C.; and
- (iii) Both the petitioners have undergone custody period for more than 08 months, and the trial is likely to take considerable time, as several prosecution witnesses are still to be examined.

At this stage, without expressing any opinion on the merits of the case, further incarceration of the petitioners would not serve any useful purpose, particularly in view of the testimony of the material witnesses already on record.

7. Accordingly, in the given facts and circumstances of the case, this Court deems it appropriate to grant the concession of regular bail to the petitioners.

Consequently, prayer made in the present petitions are allowed.

Petitioners are ordered to be released on bail, subject to their furnishing bail/surety bonds to the satisfaction of the learned trial Court/ Chief Judicial Magistrate/ Illaqa Magistrate/ Duty Magistrate concerned, if not required in any other case.

8. Needless to observe that the petitioners shall not extend any threat and shall not influence any prosecution witness in any manner directly or indirectly.

9. The observation made here-in-above shall not be construed as an expression of opinion on the facts of the case and the Trial Court is expected to decide the case on the basis of complete evidence available on record.

10. **Petitions stand disposed of.**

Pending misc. application(s), if any, also stand disposed of.

Photocopy of this order be placed on the file of other connected case.

(SANJAY VASHISTH)
JUDGE

November 18, 2025

J.Ram

Whether speaking/reasoned: *Yes/No*

Whether Reportable: *Yes/No*