



CRM-M-37509-2025

1

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

(207)

CRM-M-37509-2025
Date of Decision:-10.09.2025

Gurkirtan Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE ALOK JAIN

Present: Mr. Kanish Ganeriwala, Advocate
for the petitioner.

Mr. Amandeep Singh Samra, AAG, Punjab.

ALOK JAIN, J. (Oral)

1. The present petition has been filed *inter alia* praying for grant of regular bail to the petitioner in case FIR No. 0293 dated 06.11.2024, under Sections 137(2) and 87 of BNS, 2023, registered at Police Station Sadar Mansa, District Mansa.

2. At the outset, learned State counsel has filed the status report by way of an affidavit of Butta Singh, PPS, Deputy Superintendent of Police, Sub-Division Mansa, District Mansa on behalf of respondent-State, which is taken on record, subject to all just exceptions. Copy thereof has been handed over to the counsel for the petitioner.

3. Learned counsel for the petitioner has reiterated his contention as recorded in the order dated 22.07.2025, which reads as under:

xxx xxx xxx

*Learned counsel for the petitioner submits that it
is a case of adolescence love and in fact the statement of
prosecutrix clearly demonstrates that there was no*



physical relationship between prosecutrix and in fact it was petitioner who brought the prosecutrix back to the village. The medical report of the prosecutrix also supports the above contention of the petitioner, who is young boy of 25 years.”

4. Learned State counsel has also filed the custody certificate of the petitioner in Court today, which is taken on record, according to which the petitioner has undergone 09 months and 29 days as on 09.09.2025 and submits that except for the age of the prosecutrix, there is no other incriminating evidence available against the petitioner.

5. Heard learned counsel for the parties at length.

6. In light of the above and considering the fact that the petitioner is a young boy of 25 years and is in custody for the last more than 09 months and 29 days, coupled with the fact that there are no allegations of any physical relationship between the petitioner and the prosecutrix and it was the petitioner who had brought the prosecutrix back to the village, moreover, the trial is likely to take time, therefore, no useful purpose would be served by keeping the petitioner in custody, hence, the petitioner is entitled to the grant of the concession of regular bail.

7. Without commenting upon the merits of the case, the present petition stands allowed and the petitioner is ordered to be released on bail if not required in any other case on furnishing bail bonds and surety bonds to the satisfaction of the trial Court/Duty Magistrate, concerned. The petitioner shall, however, be released on the following conditions:

- i. The petitioner shall declare his ordinary place of residence and the mobile number used by him.
- ii. The petitioner will not switch off his mobile and in case of any technical glitch, he has to give an alternate number, which will



be available in his absence.

- iii. The petitioner will mark his presence before the SHO concerned, after every 15 days and in case the SHO refuses to mark his presence, he is permitted to make an application before the Illaqa Magistrate, concerned.
- iv. The petitioner will not leave the country without the prior permission of the Court, for which he will submit the copy of his passport also. However, in case the petitioner does not possess a passport, then he shall file an undertaking to the said effect before being released.

The petitioner shall abide by the terms and conditions as imposed in addition to Section 483 of BNSS, 2023.

8. However, nothing stated above shall be construed as a final expression of opinion on the merits of the case and this order shall not be considered as parity *qua* any other co-accused in any manner whatsoever.

9. It is further made clear that, in case, the petitioner is found involved in any such activity once again, the State is at liberty to promptly move an appropriate application for cancellation of bail detailing out the circumstances and violation of conditions of bail.

(ALOK JAIN)
JUDGE

September 10, 2025

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