



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

CRM-M-42544-2024

Date of decision : 19.08.2025

Arjun @ Appu Khota

.....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE SHEEL NAGU, CHIEF JUSTICE

Present: Mr. Viren Sibal, Advocate,
for the petitioner.

Mr. Vipin Pal Yadav, Addl. Advocate General, Punjab.

SHEEL NAGU, CHIEF JUSTICE (Oral)

1. This is first petition filed by the petitioner under Section 483 of the Bharatiya Nagrik Suraksha Sanhit (BNSS) for grant of regular bail in FIR No. 53 dated 15.04.2023, under Sections 363, 366, 376, 120-B IPC and Section 6 of the Protection of Children from Sexual Offences Act, 2012, registered at Police Station Division No.2, Pathankot.

2. The petitioner, who is in custody since 29.04.2023, is facing trial, where out of enlisted 27 (twenty seven) witnesses, 12 (twelve) have been examined by the prosecution. The prosecutrix, who was aged about 16 years, gave implicative statement under Section 161 Cr.P.C., but later on, in her statement recorded under Section 164 Cr.P.C., she resiled from her earlier statement. However, when examined by the trial court, she implicated the petitioner. Besides, as per the report of Forensic Science Laboratory, Punjab (Annexure R-2), DNA report is also positive.



3. There are about 15 (fifteen) prosecution witnesses, who are yet to be examined. Therefore, to provide a safe and secure atmosphere to the remaining prosecution witnesses to depose before the trial court, it would be appropriate that the petitioner is denied bail for the time being, awaiting examination of the prosecution witnesses.

4. Accordingly, the petition stands dismissed for the time being, with liberty to the petitioner to re-visit the Court, in case the trial gets further delayed or after the main prosecution witnesses are examined, whichever is earlier.

(SHEEL NAGU)
CHIEF JUSTICE

August 19, 2025
narotam

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No