



CRM-M-43780-2024

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-43780-2024

Date of Decision:- 25.07.2025

Bhola Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present:- Mr. Vivek Singla, Advocate
for the petitioner.

Ms. Manjot Kaur, AAG, Punjab.

AMARJOT BHATTI, J.(Oral)

1. Petitioner – Bhola Singh has filed petition under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail in FIR No. 0590 dated 23.12.2023, under Section 376 of IPC and Section 3, 4 of POCSO Act, 2012 (Annexure P-1), registered at Police Station City Barnala, District Barnala.

2. As per facts of case, complainant 'S.K.' gave her statement that her youngest daughter i.e. victim V.K. aged about 17 years was studying in 10+2 in Government School Handiaya. On 15.12.2023 at about 3:00 PM her distant relative Bhola Singh came to their house and told her that aunt of 'V.K.' had called her and took her along with him on his motorcycle. Her brother-in-law Jeet Singh @ Kukku came to her house at night time and disclosed that Bhola Singh had committed wrongful act with her daughter 'V.K.'. Her daughter was recovered on 16.12.2023 who disclosed about the wrongful act committed by Bhola Singh. The victim



tried to escape and under fear, she fell down and also received injuries.

With these allegations, present FIR has been registered.

3. Learned counsel for petitioner argued that as per the facts, alleged occurrence took place on 15.12.2023 but the matter was reported to the police on 23.12.2023. The delay in lodging report has remained unexplained. Petitioner was arrested on 23.12.2023, since then, he is behind the bars. Challan is presented. The victim and complainant are also examined. Trial in this case may take long time. His regular bail application was wrongly declined by learned Sessions Judge, Barnala vide order dated 21.08.2024 (Annexure P-2). He is ready to abide by the terms of bail order. Therefore, his regular bail petition may be allowed.

4. Learned counsel representing State referred to status report. It is pointed out that the victim was 17 years, 05 months old student of 12th class whereas Bhola Singh was 53 years of age a distant relative who was addressed as *Taya*. Statement of the victim under Section 164 Cr.P.C. was recorded before learned Magistrate. She was medically examined from Civil Hospital, Barnala. Challan was presented on 16.02.2024 and charges were framed on 07.05.2024. It is confirmed that statement of complainant as PW-1 (Annexure R-1) and victim as PW-2 (Annexure R-2) are also annexed with the status report. There are serious allegations against the petitioner. Therefore, he does not deserve concession of regular bail.

5. I have considered the arguments and have gone through the record. As referred above, trial in this case is going on. Present petitioner is the relative of victim, whom she used to address as *Taya*. The victim was minor at the time of commission of said offence whereas, petitioner



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was a mature man aged 52 years. There are specific serious allegations against the petitioner. The victim has supported her version. Other material witnesses are yet to be examined. Considering the gravity of offence and the manner in which it has been committed, I do not find merits in the regular bail petition filed by petitioner and the same is accordingly declined.

6. Pending miscellaneous application(s), if any, stand disposed of accordingly as well.

25.07.2025

Sunil devi

(AMARJOT BHATTI)
JUDGE

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