

CRM-M-42495 of 2025

2025:PHHC:156395



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

CRM-M-42495 of 2025
Date of decision: 12.11.2025

Amrit @ Amritpal Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE NAMIT KUMAR

Present: Mr. Harmanpreet Singh, Advocate,
for the petitioner.

Mr. Hemant Aggarwal, DAG, Punjab.

Mr. Rahul Rana, Advocate,
for the complainant.

NAMIT KUMAR, J. (ORAL)

1. Instant petition has been filed by the petitioner under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 seeking regular bail in case FIR No.88 dated 19.10.2023 registered under Sections 354-D, 323, 506, 376(3) and 201 IPC and Sections 4 and 12 of the Protection of Children from Sexual Offences Act, 2012 at Police Station Ramdas, District Amritsar Rural.

2. Briefly stated, the present case has been lodged on the basis of statement of complainant 'P' stating therein that she has three children, out of which two are daughters and one is son. Her younger daughter is 'S'

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aged about 14 years and she is studying in 9th standard at Senior Secondary Smart School, Ramdas. Petitioner-Amrit used to chase the daughter of the complainant, while she used to go to school and he did obscene acts with the daughter of the complainant. On 18.10.2023, petitioner-Amrit has enticed away daughter of the complainant on the motorcycle on the pretext of marriage. On the same day, brother-in-law of the complainant, namely, Harjinder Singh had seen 'S' at bus stand Ramdas and during that time, Amrit Singh gave fist blow to Harjinder Singh and thereafter he ran away from the spot.

3. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in the present case. He further submits that the FIR was initially registered under Sections 354-D, 323, 506 IPC and Section 12 of the POCSO Act and the petitioner was granted regular bail by learned Additional Sessions Judge (Fast Track Court), Amritsar vide order dated 24.11.2023 (Annexure P-2). Thereafter, Sections 376(3) and 201 IPC and Section 4 of the POCSO Act were added later on and the petitioner was again arrested on 11.06.2024. Learned counsel further submits that investigation in the present case is complete; challan has been presented; charges have been framed and out of total 19 prosecution witnesses, 07 have been examined. He further submits that the prosecutrix (PW3) has not supported the case of the prosecution and has been declared hostile. In her testimony she stated that *"I do not know the accused and never seen him before. He did nothing wrong with her. He never committed any rape with her. I have seen the accused present in the Court for the first*

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time today.” He further submits that the complainant (PW1) has also not supported the case of the prosecution and in her cross-examination she stated that “accused did not stalk my daughter. It is correct that accused has not committed any wrong act with my daughter. Accused never enticed away my daughter prosecutrix. It is correct that my daughter did not disclose anything to me regarding accused Amritpal Singh. It is correct that Amritpal Singh did not cause any injury to Harjinder Singh. I did not make any complaint to the police. Police obtained my signatures on the blank papers.” He submits that the trial may take a considerable time to conclude, therefore, no fruitful purpose would be served by detaining the petitioner behind bars.

4. *Per contra*, learned State counsel while placing on record the custody certificate has opposed the prayer for grant of regular bail to the petitioner and prayed for dismissal of the present petition.

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

6. Keeping in view the custody of the petitioner, which is 01 year 06 months 10 days; investigation in the present case is complete; challan has been presented; charges have been framed and out of total 19 prosecution witnesses, 07 have been examined; victim as well as the complainant have not supported the case of the prosecution and the conclusion of trial may take a long time, however, without commenting upon the merits of the case, the petitioner is ordered to be released on regular bail during trial on his furnishing bail bonds/surety bonds to the satisfaction of Illaqa

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Magistrate/Trial Court.

- 7. The petition stands disposed of accordingly.
- 8. 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.

12.11.2025
R.S.

(NAMIT KUMAR)
JUDGE

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