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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-46114-2024
Date of decision: 21.03.2025

KHUSHDEEP SINGH ALIAS GAGGI

...Petitioner(s)

VERSUS

STATE OF PUNJAB AND OTHERS

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present:- Mr. S. S. Dhillon, Advocate
for the petitioner.

Mr. P. S. Bhandari, AAG, Punjab.

JASGURPREET SINGH PURI, J. (Oral)

1. The present petition has been filed under Section 483 of the BNSS, 2023 for the grant of regular bail to the petitioner in FIR No.52 dated 02.04.2024, under Sections 363 and 366-A of the IPC, registered at Police Station Lambi, District Sri Muktsar Sahib, Punjab.
2. Learned counsel for the petitioner submitted that the petitioner is in custody for 11 months and 12 days and the trial of the case is at the examination of prosecution witnesses stage, whereby the prosecutrix and the complainant have been examined, who have not supported the prosecution version. He further submitted that the allegations against the petitioner were with regard to enticing away the minor daughter of the complainant, who was stated to be of the age of 17 years but at the time of recording of statement under Section 164



Cr.P.C. and also deposing before the learned trial Court at the time of trial, she has not supported the prosecution version. He also submitted that considering the aforesaid facts and circumstances, the petitioner may be considered for the grant of regular bail.

3. On the other hand, Mr. P. S. Bhandari, AAG, Punjab submitted that it is correct that the petitioner is in custody for 11 months and 12 days and the prosecutrix and the complainant have not supported the prosecution version in the present case. He further submitted that the age of the girl at the time of occurrence was 17 years and she was a minor and therefore, the petitioner does not deserve the concession of regular bail.

4. I have heard the learned counsels for the parties.

5. It is a case where the petitioner is in custody for 11 months and 12 days and as per the learned counsels for the parties, the prosecutrix and the complainant-mother have not at all supported the prosecution version in the present case. Furthermore, it is not the case of the learned State counsel that in case the petitioner is released on bail, then he may influence any witness or may tamper with evidence or may flee from justice.

6. Therefore, considering the aforesaid totality and circumstances of the present case, this Court deems it fit and proper to grant regular bail to the petitioner.

7. Consequently, the present petition is allowed. The petitioner shall be released on regular bail, if not required in any other case, subject to furnishing bail bonds/surety bonds to the satisfaction of the learned trial Court/Duty Magistrate concerned.



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.

21.03.2025
Chetan Thakur

(JASGURPREET SINGH PURI)
JUDGE

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