



CRM-M-46175-2025(O&M)

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

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CRM-M-46175-2025(O&M)

Date of Decision: 04.11.2025

Balwinder Singh @ Ballu**..Petitioner****Versus****State of Punjab & anr.****..Respondent****CORAM: HON'BLE MS. JUSTICE SHALINI SINGH NAGPAL**

Present: Mr. Kapish Singla, Advocate for
Mr. Deepak, Advocate
for the petitioner.

Mr. Hardeep Singh Wadhwa, DAG Punjab.

SHALINI SINGH NAGPAL, JUDGE

1. Petitioner seeks regular bail in FIR No.54 dated 25.07.2024 under Sections 137(2), 96 of Bharatiya Nyaya Sanhita, 2023 and later on added Section 64 of BNS, 6 of POCSO Act, Police Station Daba, District Ludhiana. This is his first petition for regular bail.

2. As per allegations, complainant, mother of the prosecutrix informed the police that she had two daughters and her elder daughter was 17 years old. On 01.07.2024 at 04.00 PM, when she returned home, she found her daughter missing. Despite efforts, she could not be traced. On that day, she was informed that 'S' had gone away with Akash, Ballu and Naresh Kumar alias Sonu.

3. Learned counsel for the petitioner submits that the petitioner had been falsely implicated in the case and the role attributed to him was that he had, in collusion with co-accused, enticed away the minor. He further submits that co-accused Naresh Kumar alias Sonu Behnwal has since been allowed regular bail by this Court vide order dated 20.05.2025 and



petitioner too deserved to be enlarged on regular bail on the ground of parity.

It is argued that investigation of the case was complete, challan had been presented and the petitioner was in custody w.e.f 03.03.2025.

4. Status report by way of affidavit of Satwinder Singh Virk, PPS Assistant Commissioner of Police, Industrial Area-B, Ludhiana, has been filed by State of Haryana besides custody certificate of the petitioner. Learned State counsel has opposed the prayer for bail stating that the petitioner, in criminal conspiracy with co-accused Naresh Kumar alias Sonu Behnwal and Surjit @ Akash had enticed the minor victim from lawful guardianship and kept her concealed for a considerable period. It was prayed that the bail application be declined.

5. Role attributed to the petitioner is at par with Naresh Kumar alias Sonu Behnwal, who has since been enlarged on bail vide order of this Court dated 20.05.2025. Concededly, petitioner is in custody in the case w.e.f 03.03.2025 i.e. for the last 8 months. Investigation of the case is complete. Challan has been presented in the Court. Prosecutrix in her statement recorded under Section 183 BNSS, has not named the petitioner as the culprit. Allegations under Section 6 POCSO Act and 376 IPC have been levelled against the co-accused. In these circumstances, on the ground of parity, but without expressing any opinion on merits, the petition is allowed. Petitioner is ordered to be released on regular bail, subject to his furnishing adequate bail and surety bonds to the satisfaction of trial Court/Duty Magistrate.



6. All the pending miscellaneous applications, if any, stand disposed of.

04.11.2025
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(SHALINI SINGH NAGPAL)
JUDGE

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