



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

**216**

**CRM-M-46713-2025(O&M)  
Date of Decision: 22.09.2025**

**SACHIN CHOUDHARY**

**...Petitioner**

**V/S**

**STATE OF PUNJAB**

**...Respondent**

**CORAM: HON'BLE MS. JUSTICE SHALINI SINGH NAGPAL**  
**\*\*\*\***

Present: Mr. A.P.S. Rehan, Advocate  
for the petitioner.

Mr. Hardeep Singh Wadhwa, DAG Punjab.  
**\*\*\*\***

**SHALINI SINGH NAGPAL, J. (ORAL)**

Petitioner seeks regular bail in case arising out of FIR No. 05 dated 04.02.2025, under Sections 137(2) and 87 Bharatiya Nyaya Sanhita, 2023, Police Station Taragarh, District Pathankot. This is the first petition for regular bail.

Complainant 'L' stated that his youngest daughter 'S', whose date of birth was 06.08.2008, went to *Pir Baba Shrine* near *Parmanand* at 2.30 p.m. on 31.01.2025, but did not return home. Some unknown person had enticed her away with the intention of marriage.

Learned counsel for the petitioner submits that prosecutrix was 16 years 05 months old at the time of alleged incident. No allegation of sexual assault on the prosecutrix was levelled in the FIR. Petitioner was arrested on 04.02.2025 and was in custody since then. Challan had been presented and



charges had been framed, but no prosecution witness was examined till date. The story that prosecutrix was kidnapped by the petitioner and taken to an unknown place where she was confined in a room was false and was yet to be proved during the course of trial. He thus, prays that the petitioner, who had been in custody for more than 07 months, be enlarged on bail.

Learned State counsel has filed status report by way of affidavit of Sukhjinder Pal Singh, PPS, Deputy Superintendent of Police (Rural), District Pathankot on behalf of respondent-State along with custody certificate of the petitioner. It has been argued by learned State counsel that allegations against the petitioner were serious and there was no ground to enlarge him on bail.

Statement of the prosecutrix has been recorded under Section 183 BNSS, wherein she stated before learned Additional Chief Judicial Magistrate(Duty), Pathankot that on 31.01.2025, she went to *Dargah*, where an unknown boy was standing, who called her. The boy put a handkerchief on her mouth and she lost senses. He took her somewhere, when she regained consciousness, she found herself in a dark room. She requested the boy to leave her home. The boy gave her water and again put handkerchief on her mouth and she again became unconscious. When she regained consciousness, she found the boy missing and the door open. During the course of investigation, the prosecutrix identified the accused.

Though petitioner is in custody for the last more than 07 months, prosecutrix is yet to be examined in the case. The possibility of the petitioner



influencing the prosecutrix and tampering with evidence cannot be ruled out. Thus, no ground is made out to enlarge the petitioner on regular bail. As such, the petition is hereby dismissed.

Nothing observed hereinabove shall be construed as expression of an opinion by this Court on merits of the case.

(SHALINI SINGH NAGPAL)  
JUDGE

SEPTEMBER 22, 2025.  
*Ajay Goswami*

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