

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

CRM-M-60952-2024 (O&M)

Date of Decision:-10.02.2025

Manveer Singh @ Manvir Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present:- Mr. D.S. Sandhu, Advocate for the petitioner.

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

Mr. Vatsal Raj, Advocate for the complainant.

JASGURPREET SINGH PURI J.(Oral)

CRM-1344-2025

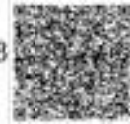
Present application has been filed for placing on record certain documents.

Application is allowed as prayed for subject to all just exceptions.

The accompanying copy of statement dated 13.09.2024 of the prosecutix is taken on record.

Main case

1. The present is a first petition filed under Section 483 of BNSS, 2023 for grant of regular bail to the petitioner in case bearing FIR No.92 dated 29.04.2024 under Sections 354 and 325 of IPC and Sections 9(L)/10 of the POCSO Act (Sections 3, 4 and 6 of the POCSO Act added later on) registered at Police Station Samrala, District Ludhiana, Punjab.



2. Learned counsel appearing on behalf of the petitioner submitted that it is a case where the petitioner has been in custody since 29.04.2024 and all the material witnesses have been examined. He submitted that 11 out of total 21 cited prosecution witnesses including the complainant and the prosecutrix have been examined. He further submitted that although the age of the prosecutrix was 16 and a half years, it is a case where they were having a friendship with each other and once they were caught by the father of the prosecutrix, the entire scene changed and the alleged case of molestation was filed. He further submitted that considering the aforesaid custody of the petitioner and the fact that all the material witnesses have been examined, he may be considered for the grant of regular bail.

3. On the other hand, learned State counsel submitted that, insofar as the custody of the petitioner is concerned, the same is correct, and it is also correct that all the material witnesses, including the complainant and prosecutrix, have been examined. However, he submitted that, in view of the seriousness of the offence, the petitioner does not deserve the concession of regular bail.

4. Mr. Vatsalraj, Advocate, has appeared on behalf of complainant and filed his Memorandum of Appearance which is taken on record. He submitted that the allegations against the petitioner were serious because the prosecutrix was minor of the age of 16 and half years at the time of incident. As such, considering the seriousness of the offence, the petitioner may not be granted regular bail.

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

6. It is a case where the petitioner has been in custody for about 09 months and 07 days. As per the allegations, the petitioner had molested the prosecutrix who was of the age of 16 and half years at the time of incident. As per all the learned counsels for the parties, all the material witnesses including the complainant and prosecutrix have been examined. Furthermore, it is neither the case of the learned State counsel nor it has been argued that if the petitioner is released on bail, he may abscond, flee from justice, influence witnesses, or tamper with evidence. Therefore, considering the aforesaid facts and circumstances of the present case and in view of the stage of the trial, 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 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.

(JASGURPREET SINGH PURI)
JUDGE

10.02.2025
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Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No