

2025:PHHC:153308



CRM-M-59203-2025 -1-

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

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CRM-M-59203-2025
Date of Decision : 06.11.2025

KARAN SINGH ALIAS KARANPETITIONER

V/S

STATE OF PUNJAB AND ANOTHERRESPONDENTS

CORAM: HON'BLE MS. JUSTICE KIRTI SINGH

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

Mr. Yadwinder Singh, AAG, Punjab.

Mr. Nitish Sharma, Advocate for
Ms. Gaganpreet Kaur, Advocate
for the complainant/respondent No.2.

KIRTI SINGH, J. (ORAL)

1. Prayer in the present petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023, is for grant of anticipatory bail to the petitioner in case FIR No. 2 dated 09.01.2025, under Section 64 of BNS, 2023 and under Section 6 of POCSO Act, 2012 registered at Police Station Amir Khas, District Fazilka.

2. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the instant case on the basis of the statement of the prosecutrix. It is submitted that the FIR in the present case was registered after an unexplained delay of 08 days. There is also no evidence on record to substantiate the allegations leveled against the petitioner. In

fact, statement of the prosecutrix under Section 183 BNSS was recorded on



15.01.2025, wherein she did not level any allegations against the petitioner. As such, cancellation report qua the petitioner was also filed by the investigating agency after thorough investigation in the case, which was erroneously not accepted by the learned trial Court. It is submitted that since investigation in the instant case stands completed, therefore, the petitioner be granted the concession of anticipatory bail.

3. Status report by way of affidavit of Deputy Superintendent of Police, Homicide and Forensic Science, Fazilka, has been filed by the State, which is taken on record. Learned State counsel, while relying upon the contents of the same submits that upon the statement of the prosecutrix, FIR in the instant case was registered under Section 64 of BNS alongwith Section 6 of POCSO Act against the petitioner. Investigation was undertaken in the instant case, whereupon it was found that the allegations leveled against the petitioner were not established. Accordingly, cancellation report was prepared and submitted before the learned trial Court on 07.07.2025, however, the learned Court, while treating the same as regular challan, issued warrants of arrest against the petitioner. Due to his non-appearance, proclamation has been issued against the petitioner by the learned trial Court.

4. Heard.

5. Vide order of even date, warrants of arrest and the proclamation issued against the petitioner stand quashed.

6. A perusal of the case file reveals that there is a delay of 08 days in the lodging of FIR. There is a material contradiction in the averments made in the FIR and the statement of the prosecutrix recorded under Section



183 BNSS. After the completion of investigation, cancellation report was filed by the investigating agency, which was not accepted by the learned trial Court, and warrants of arrest against the petitioner were issued.

7. In view of the peculiar facts and circumstances of the instant case, where investigation stands concluded and there is no occasion for any kind of custodial interrogation, the present petition is disposed of with a direction to the petitioner to appear before the trial Court within a period of ten days from the date of this order, whereupon the trial Court shall decide his bail application on the same day in accordance with law. Meanwhile, no coercive steps shall be taken against the petitioner.

8. Disposed of.

9. Pending miscellaneous application(s), if any, also stands disposed of.

(KIRTI SINGH)
JUDGE

06.11.2025
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Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No