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

CRM-M-62217-2024

Date of Decision:- 08.09.2025

GAGANDEEP SINGH ALIAS GAGGU

....Petitioner

Vs.

STATE OF PUNJAB

...Respondent

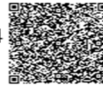
CORAM:- HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present:- Mr. Karanjit Singh, Advocate for petitioner.
Ms. Manjot Kaur, AAG, Punjab.

AMARJOT BHATTI, J. (Oral)

1. Petitioner has filed instant petition under Section 439 Cr.P.C. for grant of regular bail in FIR No.148 dated 26.06.2024 under Sections 376-D, 452/506 of IPC and Section 6 of POCSO Act (Amended) registered at Police Station Tanda, District Hoshiarpur.

2. As per facts of the case, complainant 'PK' gave her statement that she is mother of a daughter and a son. She is doing work as a domestic helper to earn livelihood. Victim 'S' studied in 8th class. Gagandeep Singh @ Gaggu and Vishal @ Nepali residents of their village Miani used to follow her daughter for the last about 4-5 months. Aforesaid persons forcibly



came to her house in her absence. Gagandeep Singh @ Gaggu committed rape upon the victim whereas Vishal @ Nepali prepared a video. They started giving threats to her daughter that they will viral her video. Her daughter disclosed about the incidents to her. They remained under the fear of accused persons and finally, the matter was reported to the police.

3. Counsel for petitioner argued that allegations levelled against petitioner are false. Allegations are vague and general in nature. There is delay in lodging the report to the police. After completion of investigation, challan is already presented. Petitioner is facing trial. He is behind the bars since the day of his arrest i.e. 27.06.2024. His regular bail application was wrongly declined by learned Additional Sessions Judge, Fast Track Special Court, Hoshiarpur vide order dated 08.11.2024 (Annexure P-2). At present, statements of victim as well as complainant have been recorded by the trial Court as PW2 and PW3 respectively. He is ready to abide by the terms of bail order. Therefore, his regular bail petition may be allowed.

4. Bail petition is opposed by learned counsel representing State. It is pointed out that there are specific allegations against the petitioner. Victim was minor girl of 13 years of age at the time of said occurrence. Present petitioner committed forcible rape with the victim by going to her house and co-accused also prepared her obscene video. Complainant as well as the victim fully supported the prosecution case. Copy of her MLR is Annexure R-1. Therefore, considering the gravity of offence, petitioner is not entitled to be released on regular bail.



5. I have considered the arguments and have gone through the record carefully. There are specific serious allegations against the petitioner. At present, trial is going on. Statements of victim as well as complainant have been recorded where they supported the allegations. At the time of occurrence, victim was 13 years of age. Considering the gravity of offence, in my opinion, petitioner is not entitled to be released on regular bail and his bail petition is, accordingly, declined. Since, petitioner is behind bars for the last about 1 year 2 months, trial Court is directed to expedite the trial.

6. Pending miscellaneous application (s), if any, stands disposed of accordingly as well.

(AMARJOT BHATTI)
JUDGE

08.09.2025
snd

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