



CRM-M-61498-2025 (O&M)

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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Reserved on: 26.11.2025
Pronounced on: 27.11.2025
Uploaded on: 27.11.2025

ARVINDER SINGH ALIAS GORA

PETITIONER

VERSUS

STATE OF PUNJAB AND ANOTHER

RESPONDENTS

CORAM: HON'BLE MS. JUSTICE SHALINI SINGH NAGPAL

Present: Mr. Prateek Pandit, Advocate
for the petitioner.

Mr. Kunwarbir Singh, AAG Punjab.

Mr. Barjinder Singh, Advocate
for respondent No.2.

Shalini Singh Nagpal, J.

1. Petitioner seeks anticipatory bail in FIR No.75 dated 16.11.2024 under Section 65(1) of Bharatiya Nyaya Sanhita (B.N.S.), 2023 and Section 6 of The Protection of Children from Sexual Offences (POCSO) Act, 2012, Police Station Dhilwan, District Kapurthala. This is the first petition for anticipatory bail.
2. Prosecutrix aged 15 years stated that she was a student of Class-XI in Government Senior Secondary School. Her date of birth was 11.09.2009. Her mother died in the year 2018 and her father solemnized second marriage with Baljit Kaur in 2019. The adopted son of her step-mother from her first marriage, namely, Arvinder Singh alias Gora had evil eye on her. He had been working with her father and brother in their shop and had been visiting their house. Earlier also on three occasions, he forcibly had anal intercourse with her without her consent but she did not disclose the



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matter to save her reputation. On 07.11.2024, her father and mother were away and left her at the house of Sukhwinder Kaur w/o Surinder Singh in their village. At about 02:00 P.M., her cousin Jasmeet Kaur came to call her home on the pretext that Arvinder Singh alias Gora had come to collect PVC material and therefore, she unlocked her house. Arvinder Singh alias Gora entered the house, threw her on the bed, gagged her mouth and had unnatural sexual intercourse with her but somehow, she saved herself and came to the house of her aunt to whom she narrated the entire occurrence. When her parents came home, her aunt disclosed the whole story to them but the matter was not reported out of shame.

3. Learned counsel for the petitioner submits that the incident occurred on 07.11.2024 and there was delay of nine days in lodging the FIR. He further submits that father of the minor prosecutrix did not accompany her for registration of FIR which was lodged on the instigation of “*Chachi*” (paternal aunt) of the prosecutrix. Referring to Annexure P-2, he submits that father of the prosecutrix had sworn an affidavit that Arvinder Singh alias Gora did not do any wrong act with his daughter, nor committed rape upon her and the FIR was wrongly registered. It was further argued that no such occurrence ever took place and petitioner had been falsely implicated on account of a family dispute relating to property. He thus prayed that petitioner be released on anticipatory bail.

4. Status report by way of affidavit of Mr. Karnail Singh, PPS, Deputy Superintendent of Police, Sub-division Bholath, District Kapurthala on behalf of respondent No.1-State has been filed. The same is made part of the record. Learned State counsel opposes the prayer for anticipatory bail on the ground of serious and heinous nature of the offence.



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5. Learned counsel for respondent No.2-minor has also put in appearance. He states that the victim and her father have no objection if the petitioner is enlarged on bail.
6. Petitioner is alleged to have committed aggravated penetrative sexual assault over a period of time with his step-sister, who is a minor aged 15 years. There is prima facie material in support of prosecution case. Presumption under Section 29 of The Protection of Children from Sexual Offences (POCSO) Act, 2012 must also be kept in focus while dealing with an application for anticipatory bail. Considering the gravity of the offence, the seriousness of allegations, relationship of petitioner with the prosecutrix, impact of the offence on the victim child, severity of punishment which conviction may entail and all relevant facts and circumstances of the case, the Court is dissuaded from releasing the petitioner on anticipatory bail.
7. Accordingly, the petition stands dismissed.
8. Observations in this order shall not be construed as expression of opinion on merits of the case.
9. Pending applications, if any, stand disposed of.

(SHALINI SINGH NAGPAL)
JUDGE

27.11.2025
HS.CHAUHAN

Whether Speaking/Reasoned :	Yes/No
Whether Reportable :	Yes/No