



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(221)

CRM-M-63249-2025

Date of Decision:-17.11.2025

BALWINDER KAUR

.....Petitioner

Versus

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MR. JUSTICE ALOK JAIN

Present: Mr. Karan Choudhary, Advocate for the petitioner.

Mr. Vaneesh Rai, DAG, Punjab.

ALOK JAIN, J. (Oral)

1. The present petition has been filed *inter alia* praying for grant of regular bail to the petitioner in case FIR No.0142 dated 06.08.2024, under Sections 65(2), 99, 49 of Bharatiya Nyaya Sanhita, 2023 and Sections 6 & 17 of Protection of Children from Sexual Offences Act, 2012, registered at Police Station Gate Hakima, District Amritsar, Punjab.

2. Learned counsel for the petitioner submits that the main accused against whom the allegations of assault were levelled along with the allegation that the petitioner is in an illicit relationship with him, has been granted bail by the Coordinate Bench of this Court in CRM-M-17815-2025 on 29.09.2025.

3. Learned State counsel has filed the custody certificate of the petitioner in Court today, which is taken on record. As per the same, the petitioner has been in custody for the last 01 year 03 months 08 days.



Learned State counsel further submitted that the testimony of the material witnesses have been recorded.

4. In light of the above and the fact that the petitioner has already undergone incarceration for the last 01 year 03 months 08 days, coupled with the fact that the material witnesses have been examined and the trial is likely to take considerable time, therefore, no useful purpose would be served by keeping the petitioner in custody. Accordingly, the petitioner is held entitled to the concession of regular bail.

5. Without commenting upon the merits of the case, the present petition stands allowed and the petitioner is ordered to be released on bail, if not required in any other case, on furnishing bail bonds and surety bonds to the satisfaction of the trial Court/Duty Magistrate, concerned. The petitioner shall, however, be released on the following conditions:

- i The petitioner shall declare her ordinary place of residence and the mobile number used by her.
- ii The petitioner will not switch off her mobile and in case of any technical glitch, she has to give an alternate number, which will be available in her absence.
- iii The petitioner will mark her presence before the SHO concerned, after every 15 days and in case the SHO refuses to mark her presence, she is permitted to make an application before the Illaqa Magistrate, concerned.
- iv The petitioner will not leave the country without the prior permission of the Court, for which she will submit the copy of her passport also. However, in case the petitioner does not possess a passport, then she shall file an undertaking to the said effect before being released.



The petitioner shall abide by the terms and conditions as imposed in addition to Section 483 of BNSS, 2023.

- 6. However, nothing stated above shall be construed as a final expression of opinion on the merits of the case and this order shall not be considered as parity *qua* any other co-accused in any manner whatsoever.
- 7. It is further made clear that, in case, the petitioner is found involved in any such activity once again, the State is at liberty to promptly move an appropriate application for cancellation of bail detailing out the circumstances and violation of conditions of bail.
- 8. Pending application(s), if any, shall stand disposed of.

(ALOK JAIN)
JUDGE

November 17, 2025
Deepak Patwal

Whether speaking/reasoned:-	Yes/No
Whether Reportable:-	Yes/No