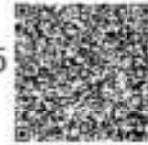


IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

2026-PHHC:017725



CRM-M-5494 of 2026 (O&M)

Reserved on: 07.04.2026

Pronounced on:09.04.2026

Uploaded on:09.04.2026

Indal @ Inder

..Petitioner

Versus

State of Punjab and another

..Respondents

CORAM: HON'BLE MS. JUSTICE SHALINI SINGH NAGPAL

Present: Mr. Ruhani Chadha, Advocate
for the petitioner.

Mr. Sukhbeer Singh, DAG Punjab.

Mr.Amarjeet Singh Prajapati, Advocate
for respondent No.2.

SHALINI SINGH NAGPAL, J.

Petitioner seeks regular bail in case vide FIR No.153 dated 14.07.2022, under Sections 363, 366-A, 376 IPC and Sections 4 and 6 of POCSO Act, Police Station Sultanpur Lodhi, District Kapurthala, Punjab. This is the first petition for regular bail.

Complainant stated that he was a labourer and had five children. His Daughter 'M' aged 15 years was a student of class 12th. On 11.07.2022, she went to school but did not return. She could not be traced. He learnt that Indal @ Inder son of Srinivasram, who was living on rent in Adalat Chak, had enticed away 'M' on false assurance of marriage. Legal action was prayed for.

Learned counsel for the petitioner submits that petitioner was in custody w.e.f. 16.07.2022. All material witnesses of the prosecution i.e. prosecutrix and her father had been examined. Infact, petitioner was in relationship with the prosecutrix and the case was false and planted. Petitioner deserved to be released on bail considering the period of incarceration.

Learned State counsel has filed status report and submits that petitioner had violated the dignity of a minor girl, who was found pregnant and had committed heinous crime. He placed on record copy of order of this Court dated 16.08.2022 vide which permission was granted to terminate the pregnancy of the minor. Thus, petitioner did not deserve any leniency in the matter of bail. Consent of the prosecutrix was not relevant considering age of the prosecutrix. He further submits that statements of prosecutrix and her father had been recorded. Ten witnesses were yet to be examined.

Petitioner is in custody w.e.f. 16.07.2022 i.e. for a period of more than 3-1/2 years. Prosecutrix and her father have been examined during trial. Ten witnesses are yet to be examined. Trial appears to be progressing at slow pace. Antecedents of the petitioner are clean. There is neither any prospect of his influencing the main witnesses nor it is apprehended that he would obstruct the course of trial or would evade trial.

Speedy trial has now been recognised as a facet of right to life under Article 21 of the Constitution of India.

Prolonged custody of an accused and delay in trial entitles him to bail. Law in this regard has been settled by Hon'ble the Supreme Court of India in *Sagar Ashok Satkar Versus The State of Maharashtra, Crl.*

Appeal No. 2870 of 2024 decided on 12.07.2024; Nilesh Vithoba Gadade

Versus The State of Maharashtra and another, Crl. Appeal No.3040 of 2025 decided on 18.07.2025 and Balwinder Singh Versus State of Punjab and another Special Leave to Appeal (Criminal) No. 8523 of 2024 decided on 09.09.2024.

Considering the period of custody and the fact that main witnesses have been examined, petitioner is ordered to be released on regular bail subject to his furnishing adequate bail and surety bonds to the satisfaction of trial Court/Duty Magistrate.

All the pending miscellaneous applications, if any, stand disposed of.

(SHALINI SINGH NAGPAL)
JUDGE

09.04.2026

reema
Whether speaking/reasoned : Yes
Whether reportable : No

