



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

206

CRM-M-5845-2026

Date of Decision: 21.04.2026

JASKARANPAL SINGH

.....PETITIONER

Vs.

STATE OF PUNJAB AND ANOTHER

.....RESPONDENTS

CORAM: HON'BLE MS. JUSTICE NEERJA K. KALSON

Present:- Mr. Yashpal Thakur, Advocate
for the petitioner.

Mr. Gorav Kathuria, DAG, Punjab.

NEERJA K. KALSON, J.

1. The present petition has been filed under Section 483 of the Bhartiya Nagarik Suraksha Sanita, 2023 seeking grant of regular bail to the petitioner in case bearing FIR No.152 dated 29.07.2025, under Section 137(2), 87, 74, 351(2) (3) of BNS and under Section 8 of POCSO Act, registered at Police Station City Budhlada, District Mansa, Punjab (Annexure P-1).

2. The petitioner is aggrieved of the order passed by the learned Additional Sessions Judge, whereby his application seeking concession of bail has been declined. The impugned order reads as under:

"6. It is the case of complainant SS' that he was married to 'BK' about 38 years ago. He has three daughters and two sons. Her youngest daughter is 'HK' whose date of birth is 10.12.2007, She is aged about 17 years 07 months. She is studying in B. A. 1st year at Gurunanak College, Budhlada, On 25.07.2025, at about 04:00 PM, he found that his daughter 'HK' went missing from home. He searched for her at all possible places but could not find her. He affirmed that his minor grand daughter was enticed away by the



present applicant-accused under the false pretext of marriage. Vide DDR No. 60 dated 04.08.2025, offence under Sections 74, 351(2) (3) of BNS and under Section 8 of the POCSO Act was added.

Keeping in view the nature of allegations having been levelled against the bail applicant, he is not found entitled to the relief of bail as prayed for.

Accordingly, finding no merits in the application, the same stands dismissed. Bail application file be returned to Ahmad to be attached with the remand papers of this case.”

3. Learned counsel for the petitioner submits that learned trial Court has decided the bail primarily on the ground of the gravity of the allegation, without advertng to the relevant factors which are required to be considered while deciding the application for grant of bail, namely, the settled principles governing the grant of bail. He further submits that the prosecutrix was about 17 years and 07 months of age at the relevant time and that both the petitioner and the prosecutrix were known to each other and were studying together. It is contended that their acquaintance had developed into a relationship and that the prosecutrix had accompanied the petitioner of her own volition. It is further submitted that in her statement recorded under Section 183 of the BNSS, no allegation of sexual assault has been levelled against the petitioner. It is also the contention of learned counsel that the prosecutrix remained with the petitioner for about five days at different public places and did not raise any alarm. It is argued that the petitioner is in custody since 31.07.2025, the investigation stands completed, challan has been presented and only one witness i.e, the prosecutrix has been examined so far, and thus the trial is likely to take time.



4. Learned State counsel opposes the prayer for bail on the ground that the prosecutrix is a minor and the allegations are serious in nature.
5. I have heard learned counsel for the parties and have perused the record.
6. At this stage, without commenting upon the merits of the case, and considering the submissions made on behalf of the petitioner, particularly with regard to the age of the prosecutrix, the nature of allegations as projected, the period of custody undergone by the petitioner, the stage of trial and the fact that the trial is likely to take time to conclude, this Court is of the considered opinion that the petitioner has made out a case for grant of regular bail.
7. Resultantly, subject to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate, the petitioner is directed to be released on bail.
8. Accordingly, the present petition is allowed.

(NEERJA K. KALSON)
JUDGE

21.04.2026

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Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No