

CRM-M-5408 of 2026 (O&M)

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

2026:PHHC:070040



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Reserved on: 05.05.2026

Pronounced on:06.05.2026

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Karamjit Singh @ Karanjit Singh**..Petitioner****Versus****State of Punjab****..Respondent****CORAM: HON'BLE MS. JUSTICE SHALINI SINGH NAGPAL****Present:** Mr. Arshdeep Singh Brar, Advocate
for the petitioner.

Mr. Sukhbeer Singh, DAG Punjab.

Mr. Manpreet Singh Dhaliwal, Advocate
for the complainant.**SHALINI SINGH NAGPAL, J.**

Petitioner seeks regular bail in case vide FIR No. 90 dated 21.06.2024, under Sections 376, 376-AB IPC, Section 6 and 21 of POCSO Act, Police Station Nihal Singh Wala, District Moga. This is the first petition for regular bail.

Prosecutrix 'D' aged 11 years stated that her date of birth was 27.07.2013 and she was a student of Class 4th. On 29.05.2024, she was taken by her Bua to her house during summer vacations where she stayed for about 12 days. When her Bua left for milking buffalos and to collect dung and garbage etc. at around 4-5 a.m., during this period of 2-3 hours, her

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uncle Karamjit Singh (phupha) misbehaved with her. He removed her clothes and committed wrong act, choking her mouth when she screamed. Sometimes, he had unnatural sex with her causing her great pain and bleeding in her private parts. When she tried to resist, he thrashed her and threatened to kill her. When she told her Bua, she refused to believe her and deliberately started spending more time in the cattle yard by making excuses, leaving her alone in the house with her phupha. When she asked her Bua to take her to the village, she did not do so saying that 'phupha' loved her as she was young. After watching wrong videos on mobile phone, her phupha continued to treat her the same way causing her more pain. When her father brought her to the village after 12 days, she did not say anything to her parents out of fear, due to threat extended by her phupha. One day when she started crying bitterly, her mother made inquiries and she narrated the incident to her parents. She was taken to Civil Hospital, Moga, where she was admitted and medically examined.

Learned counsel for the petitioner submits that the petitioner was in custody w.e.f. 21.06.2024. He was uncle of the prosecutrix who had since been examined. The FSL report regarding DNA profile was not incriminating. Age of the prosecutrix was doubtful as the certificate of the school first attended by her was never produced. The medical examination too was doubtful as it was done by a General surgeon. At the time and before the incident, the petitioner was bed ridden suffering from chronic disease and remained in hospital. The case was falsely planted on account of land dispute between the petitioner and parents of the prosecutrix. 10 days after

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the incident, land was transferred by the petitioner in favour of father of the prosecutrix.

Learned State counsel assisted by Mr. Manpreet Singh Dhaliawal, Advocate for complainant, opposed the prayer for regular bail on the ground of heinous nature of the offence and age of the prosecutrix. It is submitted that out of 19 witnesses, four had been examined.

The offence allegedly committed is shocking and perverse. Considering the age of the prosecutrix who was a child 11 years old, the relationship of the petitioner with the prosecutrix, the manner in which the offence was committed, the nature, gravity and seriousness of the offence, its physical and psychological impact on the victim child, it is not a fit case to release the petitioner on bail, despite the period of incarceration.

Dismissed.

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

(SHALINI SINGH NAGPAL)
JUDGE

06.05.2026

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Whether speaking/reasoned	:	Yes
Whether reportable	:	No