

CRM-M-14635 of 2026(O&M)

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

2026:PHHC:085012



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CRM-M-14635 of 2026(O&M)

Reserved on: 27.05.2026.

Pronounced on:29.05.2026

Uploaded on:29.05.2026

Lavlesh

..Petitioner

Versus

State of Punjab and another

..Respondents

CORAM: HON'BLE MS. JUSTICE SHALINI SINGH NAGPAL

Present: Mr. Arjun Kapur, Advocate
for the petitioner.

Mr. Akash Yadav, AAG Punjab.

Mr. Vishal Mehta, Advocate
for respondent No.2.

SHALINI SINGH NAGPAL, J.

1. Petitioner seeks regular bail in case vide FIR No.95 dated 19.06.2025, under Sections 64(2)(m), 351(3) BNS and Section 6 of POCSO Act, Police Station Sadar Samana, District Patiala. This is the first petition for regular bail.

2. Mother of the prosecutrix reported that 'M' aged 15 years was her eldest daughter. They were labourers and had constructed a house in 5 marlas land. Lovelesh son of Sevtar was living in one of their rooms. Two months ago, she went to her village Saathi. On return, she found her daughter 'M' frightened and scared. At that time, Lovelesh had also gone back to his village in District Banda, U.P. After about 1-1/2 months, when

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Lovelesh returned, her daughter again became perturbed. On inquiry, she disclosed that on 11.04.2025, when her father was away to U.P. to fetch her back and the three sisters were alone in the house, Lovelesh took her to his room for preparing meals and committed wrong acts forcibly. Thereafter, he continuously committed forcible rape and threatened to kill her and her family members, if she disclosed the matter.

3. Learned counsel for the petitioner submits that there was two months delay in registration of FIR. Petitioner and complainant party were close relatives and false case was foisted on account of dispute regarding possession and use of room. Mother of the prosecutrix did not support prosecution case when examined as a witness in the trial. A compromise had been arrived at with the family of the prosecutrix. Petitioner, who was in custody for the last more than 11 months, thus deserved to be enlarged on bail.

4. Learned State counsel has opposed the prayer for regular bail submitting that prosecutrix was 15 years old at the time of alleged commission of offence while accused was 31 years old. In her statement under Section 183 BNSS, prosecutrix fully supported prosecution case. Even when she appeared as a witness, she supported prosecution story. Allegations of aggravated penetrative assault were grave and serious and petitioner, did not deserve the concession of regular bail.

5. Learned counsel for respondent No.2 submits that respondent No.2 has no objection to release of the petitioner on bail.

6. The petitioner who is a relative of the prosecutrix is alleged to have repeatedly violated the 15 years old girl child, when her parents were

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away. The offence under Section 6 of POCSO is punishable with rigorous imprisonment for a term not less than twenty years, but which may extend to imprisonment for life or with death. The compromise with family of the prosecutrix does not dilute the offence.

7. Considering the age of the prosecutrix, gravity of offence, the manner in which the offence has been committed, quantum of punishment conviction may entail, the fact that the prosecutrix has fully supported the prosecution case, even though her parents have turned hostile, it is not a fit case to release the petitioner on bail.

8. Dismissed.

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

(SHALINI SINGH NAGPAL)
JUDGE

29.05.2026

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Whether speaking/reasoned : Yes

Whether reportable : No