

CRM-M-13676 of 2026(O&M)

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

2026:PHHC:077165



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Reserved on: 13.05.2026

Pronounced on:18.05.2026

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Amandeep Singh Batra**..Petitioner****Versus****State of Punjab and another****..Respondents****CORAM: HON'BLE MS. JUSTICE SHALINI SINGH NAGPAL**

Present: Mr. K.B. Raheja, Advocate
for the petitioner.

Mr. Sukhbeer Singh, DAG Punjab.

Mr. Rajat Dogra, Advocate
for the complainant.

SHALINI SINGH NAGPAL, J.

1. Petitioner seeks regular bail in case vide FIR No.100 dated 17.03.2025, under Sections 127(6) BNS (earlier 346 IPC) and later offences under Sections 64, 123, 351(2) BNS and Sections 6 of the POCSO Act were added, Police Station Faridkot, District Faridkot. This is the first petition for regular bail.

2. Complainant alleged that he had two children. Her elder daughter 'KK' was about 18 years of age, a student of 10+2. On 14.03.2025, at about 3:00 p.m. she left the house on the pretext of some work but did not return home till evening. They could not find her despite search. Amandeep

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Singh Batra son of Tarlochan Singh working as Science Teacher in Government Middle School, Village Jandwala, had confined her daughter in an undisclosed place with wrong intention. Legal action was prayed for.

3. Learned counsel for the petitioner submits that petitioner was in custody w.e.f. 22.05.2025. He was innocent and had been falsely implicated in the case. He was working as Science Teacher at Government Middle School. In the year 2024, prosecutrix became friendly with the petitioner but due to objection by her father, petitioner stopped talking to her. Investigating Agency called the complainant number of times for recording statement of the prosecutrix under Section 183 BNSS but for seven months, she did not come forward for her statement regarding which GD No. 52 dated 24.04.2025, GD No. 23 dated 03.05.2025, GD No. 49 dated 11.06.2025, GD No. 50 dated 04.10.2025 were recorded. For about three months, there was no talk of any kind between the petitioner and 'KK', however, on 9.10.2025 complainant fired gun shot at the petitioner in the presence of other school children whereupon FIR No.135 dated 09.10.2025 under sections 109, 132, 351(2), 3(5) of BNS and Sections 27, 54, 59 of Arms Act was registered against the complainant. Later, on 17.10.2025, prosecutrix made statement under Section 183 BNSS in the FIR levelling false and concocted allegations against the petitioner as counter blast, in order to exert pressure. The delay in making statement under Section 183 BNSS cast serious doubt on prosecution story. Petitioner was a married man with three children and was sole bread earner of the family. He had roots in the society and there was no chance of his absconding or tampering with evidence. In support of his arguments, learned counsel relied upon decision

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of this Court in *Avtar Singh Versus State of Punjab, CRA-S-346-SB 2000 decided on 20.01.2016, Bablu Yadav Versus State of Haryana, (2007)4 RCR (Criminal) 257, Deepak Soni alias Irfan Vresus State of Punjab Criminal Misc. No.1357 of 2026 decided on 06.02.2026*, as well as of Chhattisgarh High Court rendered in *Balla @ Naindas Versus State of Chhattisgarh (2008) 3 Crimes 737, Mahesh Kashyap Versus State of Chattisgarh Misc. Criminal Case No. 4664 of 2020 decided on 30.9.2020, Mohit Gupta Versus State of Chhattisgarh Misc. Criminal case No. 4412 of 2020 decided on 15.09.2020, Vinod Kumar Versus State of C.G. Misc. Criminal Case No. 821 of 2003 decided on 01.05.2003, Narendra Sinha Versus State of Chhattisgarh, Misc. Criminal case No. 6207 of 2015 decided on 18.01.2016* and of Madhya Pradesh High Court rendered in *Vaidhraj Dhurve @ Baiju Versus State of Madhya Pradesh Misc. Criminal Case No. 29244 of 2020 decided on 14.09.2020* and of Gujarat High Court rendered in *Thakor Vijayji Chananji Bhikhaji Versus State of Gujarat Criminal Misc. Application No. 2508 of 2021 decided on 22.06.2021*

4. Learned State counsel has opposed the prayer for regular bail arguing that after registration of the FIR on 14.03.2025 prosecutrix was recovered from possession of the petitioner on 20.03.2025. Prosecutrix was 17 years old at the time of commission of offence and on her statement under Section 183 BNSS offences under Sections 64, 123, 351(2) BNS were added. Challan had been presented in the Court but no PW had been examined. He thus prayed for dismissal of the prayer for regular bail.

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5. Learned counsel for respondent No.2 has opposed the prayer for regular bail in view of the gravity of allegations and the fact that petitioner was Teacher of the prosecutrix.

6. Petitioner is a married man, with three children, Science Teacher at Government Middle School. Prosecutrix, at the relevant time, was 17 years of age. She took tuitions from the petitioner. She made statement on oath under Section 183 BNSS that on 25.03.2023 when she had gone for tuition, petitioner took her picture without permission and sexually violated her in the absence of his wife. Thereafter, he started black mailing her. On 27.03.2023 he again had sexual intercourse with her and took her to a Hotel number of times assuring that he would marry her and would take her to U.S.A. She stated that she was taken to Delhi, Calcutta and Kashi, where he performed marriage with her in March 2025. She alleged that to commit rape upon her, he used to administer medicine and blackmailed her saying that he would disseminate her picture on social media. She claimed that he ruined her life.

7. Statement of the prosecutrix reveals allegations of sexual exploitation of the minor child for two years. Effect of delay in recording statement of prosecutrix under Section 183 BNSS would be assessed by the Trial Court at final stage of the case. Case is at initial stage and no prosecution witness has been examined. Possibility of the petitioner tampering with evidence, once released on regular bail cannot be ruled out.

8. Allegations against the petitioner are too serious. Considering his age (42 years), his marital status, his relationship with the prosecutrix who was a student and the manner in which the offence is alleged to have

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been committed, the quantum of punishment, conviction may entail and all attendant facts and circumstances of the case, but without commenting on merits of the case, prayer for regular bail is declined.

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

(SHALINI SINGH NAGPAL)
JUDGE

18.05.2026

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Whether speaking/reasoned : Yes
Whether reportable : No