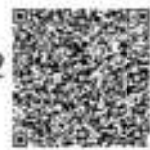


CRM-M-16726 of 2026(O&M)

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

2026:PHHC:083322



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CRM-M-16726 of 2026(O&M)

Reserved on: 21.05.2026

Pronounced on:26.05.2026

Uploaded on:26.05.2026

Muskan**..Petitioner****Versus****State of Punjab and others****..Respondents****CORAM: HON'BLE MS. JUSTICE SHALINI SINGH NAGPAL**

Present: Mr. Subhash Kumar, Advocate
for the petitioner.

Mr. Sukhbeer Singh, DAG Punjab.

Ms. Amandeep Kaur, Advocate
for respondent No.2.

SHALINI SINGH NAGPAL, J.

1. Petitioner seeks regular bail in case vide FIR No.224 dated 03.10.2025, under Sections 64/3/(5), 223/61(2), 49/70(2) of BNS and Sections 4/6/17 of POCSO Act, Police Station B-Division, District Amritsar. This is the first petition for regular bail.

2. Mother of the prosecutrix stated that date of birth of her eldest daughter 'M' was 08.10.2007. On 01.10.2025, at about 11:00 a.m. when she and her husband were away for work, she received a call from Muskan who sought her permission to take 'M' to Salon with her. She initially refused but later permitted her to take 'M' to the Salon. At about 12:00 a.m, she called up Muskan and asked about their whereabouts. She told her that she had

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sent 'M' home. At about 1:00 p.m., when she and her husband returned from home, 'M' was missing. She immediately called Muskan but she did not take her call. They started looking for 'M' but she was nowhere to be found. When they went to the house of Muskan at about 2:30 p.m., her sister-in-law Simran also reached the house and informed that 'M' had reached home. They went home and saw clothes of 'M' soaked in blood and 'M' in distress, she was not able to breathe. On inquiry she informed that she had gone to the Salon with Muskan, where Ajaypal of village Sultanwind took her and Muskan on his motorcycle to a Hotel. After some time, Ajaypal's friend Sima came to the room and raped 'M' without her consent. Then he left 'M' on the motorcycle and ran away.

3. Learned counsel for the petitioner submits that the petitioner was in custody w.e.f. 03.10.2025. Compromise had been arrived at with parents of the prosecutrix, who had agreed to solemnise marriage of the prosecutrix with the main accused. It was a case of love affair and the role attributed to Muskan was only of a facilitator. At the time of registration of the FIR 'M' was only 5 days short of turning 18. Petitioner had no criminal antecedents and thus deserved to be enlarged on bail.

4. Learned State counsel has opposed the prayer for regular bail on the ground of serious nature of allegations and gravity of crime. It was argued that petitioner was an active participant in crime having taken 'M' to the Hotel by deceit and she was not entitled to concession of bail.

5. Learned counsel for respondent No.2 has no objection to the prayer for bail.

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6. Petitioner is alleged to have lured the minor prosecutrix, in a preplanned manner to a Parlour after seeking permission from her mother and to have taken her with one Ajay Pal to a Hotel where she left her after giving her water to drink which rendered her dizzy. Thereafter, the prosecutrix was allegedly violated by co-accused. Main witnesses are yet to be recorded. Petitioner is alleged to have played a major role in the commission of offence. Considering the gravity of offence, it is not a fit case to release the petitioner on bail despite the period of incarceration.

7. Dismissed.

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

(SHALINI SINGH NAGPAL)
JUDGE

26.05.2026

reema		
Whether speaking/reasoned	:	Yes
Whether reportable	:	No