

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

2026:PHHC:063537



206

CRM-M-17181 of 2026 (O&M)

Reserved on: 24.04.2026

Pronounced on: 27.04.2026.

Uploaded on: 27.04.2026.

Sukhpal Singh**..Petitioner****Versus****State of Punjab and others****..Respondents****CORAM: HON'BLE MS. JUSTICE SHALINI SINGH NAGPAL****Present:** Mr. Rajinder Singh, Advocate
for the petitioner.

Mr. Akash Yadav, AAG Punjab.

Mr. D.S. Khurana, Advocate
for respondents No. 2 to 4.**SHALINI SINGH NAGPAL, J.**

Petitioner seeks regular bail in case vide FIR No.121 dated 19.09.2025, under Sections 64, 351(3) of BNS (corresponding sections 376, 506 IPC 1860) and Section 4 of the Protection of Children from Sexual Offence Act, 2012, Police Station Junir District Mansa. This is the first petition for regular bail.

Prosecutrix 'KK' reported that she was 17 years of age and had studied upto Class 12th. Her date of birth was 21.10.2008. About 2 years ago, she had gone to the field of Makhan Singh resident of Chotian, with her parents to pick lady fingers. There, she became friends with Makhan Singh's son Sukhpal Singh and started talking to him. On 18.09.2025, at about 8:30

11 a.m. she went to Jhunir with Sukhpal Singh in his car without telling her

family. On the way, Sukhpal Singh asked her to have physical relations which she avoided. Then, he took her to a room in a cafe where he again asked her to have physical relations. In spite of her refusal, he forcibly had physical relations with her. She could not even move out of fear. Sukhpal Singh threatened to kill her if she spoke to anyone. Then he left her back in the village in his car. She returned home and narrated the incident to her parents. Her parents admitted her in Civil Hospital, Sardulgarh.

Learned counsel for the petitioner submits that petitioner who was in custody for the last 7 months and 2 days deserved to be enlarged on regular bail as all material witnesses including prosecutrix had been examined. Prosecutrix did not support prosecution case and was declared hostile. No medical examination of the prosecutrix was done as she refused for the same. Moreover, Annexure P-3, statement of prosecutrix revealed that prosecutrix was major, her date of birth being 21.10.2006.

Learned State counsel has filed status report along with custody certificate. He opposes the prayer for bail on the ground of serious nature of allegations. He further submits that medical examination of the victim was conducted by the Doctor on 04.10.2025 and the vaginal swabs etc. were sent for DNA examination. As per Birth certificate of the victim, she was minor at the time of commission of offence. Four PWs including the victim/complainant had been examined and one was given up.

Respondents No. 2 to 4 have appeared through Mr. Davinder Singh Khurana, Advocate and have no objection to grant of bail to the petitioner.

Prosecutrix has been examined in the case as PW1. She has not supported the case. Her mother examined as PW2 has also been declared

hostile. Petitioner has clean antecedents and roots in the society. Considering the fact that material witnesses have been recorded, there is no prospect of the petitioner tampering with evidence and obstructing the trial. Petitioner is in custody for the last more than 7 months. His further detention in the facts and circumstances of the case is not warranted. Hence, without commenting on merits of the case, petitioner is ordered to be released on regular bail subject to his furnishing adequate bail and surety bonds to the satisfaction of trial Court/Duty Magistrate.

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

(SHALINI SINGH NAGPAL)
JUDGE

27.04.2026.

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Whether speaking/reasoned : Yes

Whether reportable : No