



IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

(121)

CRM-M-44043-2025 (O&M)

Date of Decision: 25.03.2026

MAHIL SINGH @ LEELA SINGH

.....Petitioner

Versus

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MS. JUSTICE KIRTI SINGH

Present: Ms. Dhivya Jerath, Advocate for the petitioner.

Ms. Guramrit Kaur, DAG, Punjab.

Mr. Pankaj Garg, Advocate and
Mr. Sarvesh Singla, Advocate
for the complainant.

KIRTI SINGH, J. (ORAL)

1. The jurisdiction of this Court under Section 483 BNSS has been invoked for grant of regular bail to the petitioner in case FIR No.1 dated 02.01.2025, under Section 64, 115(2) and 3(5) of BNS, registered at Police Station Jaurkian, District Mansa.

2. The translated version of the FIR is reproduced below:-

"Copy of the statement "Statement of xxxxx wife of Rajinder Singh, resident of House No. B-14/2873, Kothe Rasulpur, Barnala age about 41 years Mob: No: 90419-xxxxxx has stated that I am a resident of the above said address and xxxxxx wife of Jaipal Goyal, resident of Rampura Phul was working in Thread factory for about two years, we are close to each other like sisters. On dated 01-01-2025, I and xxxxxx had come to Sulisar Gurughar for seeking blessing of God, where I received a call from Leela Singh resident of Kusla, who said you both come to my house. I will drop you back home on my car. Then I and Neelam Rani reached the Bus Stand Fatta Maloka at around 7:15 PM, where Leela Singh and Madha Singh had also come. After which Leela Singh took us with him to his house in village Kusla. Where Leela Singh took us, I drank tea and water and Leela Singh and Madha Singh started drinking alcohol. Then Leela Singh started forcing me and pushing me. Leela Singh forcibly raped me. I protested Leela Singh not to do this, but Leela Singh did not stopped. When I raised alarm, then my sister xxxxxx rescued me from Leela Singh. Leela Singh and Madha Singh beat me and xxxxxx. Then I and xxxxxx escaped from them and ran out of the house. Then I and xxxxxx locked the gate. Then I



and xxxxxxx went to the house of Sukha Singh, a resident of Kusla. Where we spent the night and in the morning due to severe pain, I and xxxxxxx were admitted to the Civil Hospital in Sardulgarh. Where I and xxxxxxx are undergoing treatment. Appropriate action should be taken against Leela Singh and Madha Singh, a resident of Kusla. I have written a statement to you and read it correctly. Correct/- xxxxxxx Confirmed by Sd/- xxxxxxx Wife of Jaipal Goyal, Resident of Adarsh Nagar, Street No.1, Rampura Phul, Mob. No. 90569-xxxxxx. Verified by Karamjit Kaur L/ASI Police Station Jaurkian. Dated 02.01.2025”

3. Learned counsel for the petitioner *inter alia* submits that the petitioner has been falsely implicated in the instant FIR on the statement of the complainant, alleging therein that the petitioner along with co-accused had developed forceful physical relations with her. It is submitted that as per medical examination of the prosecutrix, there is no external injury on her private parts. Even otherwise, there is no direct evidence on record to conclusively establish the guilt of the petitioner. Learned counsel also submits that during the course of investigation the co-accused was declared innocent vide DDR No.32 dated 29.01.2025 (Annexure P-3). The petitioner, a 52 year old, has already undergone actual custody of 11 months and 23 days.

4. *Per contra*, learned State counsel as well as learned counsel for the complainant have vehemently opposed the submissions made by the learned counsel for the petitioner and submit that there are specific and serious allegations against the petitioner. They state that the petitioner was actively involved in the commission of the offence.

5. Learned State counsel has opposed the prayer of the petitioner and submits that there are specific serious allegations against the present petitioner of committing rape upon the complainant. After completion of investigation, challan was presented, and thereafter charges were framed against the petitioner on 24.09.2025. Learned State counsel submits that the



which she has supported the case of the prosecution. Thereafter, the testimony of the complainant has been recorded before the learned trial Court in which also she has supported the case of the prosecution. Therefore, the petitioner does not deserve to be granted the concession of regular bail by this Court.

6. Learned counsel for the complainants points that though the co-accused was found to be innocent during the course of investigation, however, the complainant has filed a petition under Section 319 Cr.P.C. before the learned trial Court for summing of co-accused as an additional accused, which is pending consideration.

7. Heard.

8. Reverting to the case in hand, specific allegations regarding the commission of grave and heinous offence of rape upon the complainant, have been levelled against the petitioner. The statement of the prosecutrix recorded under section 183 BNSS, as also her testimony as a prosecution witness, wherein she has remained steadfast with respect to the allegations, when read in conjunction with with the MLR, *prima facie* establish the commission of the alleged offence. Accordingly, this Court does not deem it appropriate to extend the concession of regular bail to the petitioner at this stage. Therefore, the instant petition stands dismissed.

9. Nothing observed hereinabove shall be construed as an expression on the merits of the case.

Pending application(s), if any, stands disposed of accordingly.

(KIRTI SINGH)
JUDGE

March 25, 2026
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