



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

(223)

CRM-M-67591-2025

Date of Decision: 17.02.2026

SATINDER KAUR ALIAS POOJA

.....Petitioner

Versus

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MS. JUSTICE KIRTI SINGH

Present: Mr. Vipul Aggarwal, Advocate
for the petitioner.

Ms. Aakanksha Gupta, AAG, Punjab.

KIRTI SINGH, J. (ORAL)

1. The jurisdiction of this Court under Section 483 of BNSS has been invoked for grant of regular bail to the petitioner in case FIR No. 225 dated 11.09.2025 under Sections 137(2), 96, 64, 61(2) of BNS and Section 6 of POCSO Act, registered at Police Station Jandiala, Amritsar (Rural).

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

“Statement of Balwinder Singh son of Ajit Singh, resident of village Nangal Guru, police station Jandiala, Amritsar, age about 37 years, mobile number:-7347476157, stated that I am resident of the above address and I am labourer by profession. I have three daughters and a son. My eldest daughter is xxxx, who is about 17 years and 8 months old. She passed 12th class from Government Girls School Jandiala Guru and now she used to do household work at home. Abhey son Mahinder, resident of Batari, used to work as a plumber in our village and lived in the house of our neighbor Harjinder Singh. First, my daughter xxxx told me that he was proposing to get her married. I explained to Abhay that do not bother my daughter, we will not get our daughter married yet. On the date 10.09.2025, it would be around 01 PM that my daughter xxxx had gone from home, but did not return home, I have been searching for my daughter in my relatives. Since it was a matter of the girl, they kept consulting at home. I am fully convinced that my minor daughter xxxx has been taken away by Abhay son of Mahinder, resident of Batari, who has lured her with a false promise of marriage and has taken her somewhere. Appropriate legal action should be



taken against the Abhay. Today I came to you and go got recoded my statement, heart, it is, it is correct, Sd/- Balwinder Singh.”

3. Learned counsel for the petitioner, *inter alia*, submits that the petitioner has been falsely implicated in the present case on the allegations that she introduced the victim to her nephew, Abhishek, the principal accused, who had allegedly established relations with the victim, and whom the victim accompanied after she left her house voluntarily. It is submitted that the prosecutrix was nominated as an accused not at the time of registration of the FIR, but by way of a subsequent DDR. It is further contended that the petitioner, a mother of two minor daughters (one aged about 1½ years), has no criminal antecedents and had no knowledge of, or involvement in, the alleged acts of her nephew. The allegations are unsubstantiated, there being no cogent evidence on record to corroborate the same. The 24 years old petitioner has already undergone an actual custody of 04 months and 08 days. It is further submitted that none of the witness has been examined till date, out of 10 witnesses.

4. Per contra, learned State counsel has vehemently opposed the submissions made by the learned counsel for the petitioner. She states that the petitioner was actively involved in the commission of the offence. She has filed custody certificate in Court today and the same is taken on record. As per custody certificate, the petitioner has undergone an actual custody of 04 months and 08 days. Investigation is complete. The final report under Section 173 Cr.P.C. was presented before the concerned Court. Learned State Counsel on instructions from ASI Rashpal Singh, submitted that the charges were framed on 02.02.2026 and out of a total of 10 prosecution witnesses, none has been examined. She submits that in view of the serious



allegations against the petitioner, she is not entitled to the concession of regular bail.

5. Heard the rival submissions made by learned counsel for the parties.

6. Admittedly, the charges were framed on 02.02.2026 and out of total 10 prosecution witnesses, none has been examined till date. The petitioner has undergone actual custody of 04 months and 08 days, and there is no other criminal case registered against him. No useful purpose shall be served by further detention of the accused-petitioner. Keeping the petitioner in further detention without the prospect of the trial being concluded in the near future, would be violative of his rights under Article 21 of the Constitution of India including the right to speedy trial, and is against the principle "Bail is a rule, jail is an exception" as elucidated in the judgment of Apex Court in "***Dataram Singh vs. State of Uttar Pradesh and another***", (2018) 3 SCC 22.

7. Without commenting anything on the merits of the case, lest it may prejudice the trial, the present petition is allowed and the petitioner is ordered to be released on regular bail on his furnishing adequate bail/surety bonds to the satisfaction of the concerned learned trial Court/Duty Magistrate. The petitioner shall also abide by the following conditions:-

- (i) The petitioner will not tamper with the evidence during the trial.
- (ii) The petitioner will not pressurize/intimidate the prosecution witness(s).
- (iii) The petitioner will appear before the trial Court on the date fixed, unless personal presence is exempted.
- (iv) The petitioner shall not commit an offence similar to the



offence of which he is accused of, or for commission of which he is suspected.

- (v) The petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

8. In case of breach of any of the above conditions, the prosecution shall be at liberty to move an application for cancellation of bail before this Court.

9. However, nothing stated above shall be construed as a final expression of opinion on the merits of the case and the trial Court would proceed independently of the observations made in the present case which are only for the purpose of adjudicating the present bail petition.

10. Pending miscellaneous application(s), if any, also stands disposed of.

(KIRTI SINGH)
JUDGE

February 17, 2026

Ritika

Whether speaking/reasoned : *Yes/No*
Whether reportable : *Yes/No*