



CRM-M-68462-2025 (O&M)

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-68462-2025 (O&M)

Reserved on: 29.01.2026

Pronounced on: 31.01.2026

Uploaded on: 31.01.2026

HAPPY

PETITIONER

VERSUS

STATE OF PUNJAB AND ANOTHER

RESPONDENT

CORAM: HON'BLE MS. JUSTICE SHALINI SINGH NAGPAL

Argued by: Mr. Anirudh Gupta, Advocate
for the petitioner.

Mr. Sukhbeer Singh, DAG Punjab.

Mr. Yogender Verma, Advocate for the complainant.

Shalini Singh Nagpal, J.

1. Petitioner seeks regular bail in FIR No.302 dated 17.06.2025 under Sections 137(2) and 96 of Bharatiya Nyaya Sanhita (B.N.S.), 2023. Section 64 BNS and Section 6 of The Protection of Children from Sexual Offences (POCSO) Act, 2012 has been added in the FIR during investigation. This is the first petition for regular bail.

2. Avtar Singh, father of the prosecutrix stated that on 13.06.2025, his daughter 'SK' aged 17 years 11 months 28 days was alone at home, while the entire family was away to plant paddy. When they returned, 'SK' was found missing. He came to know that she was in love with Happy Singh son of Dayal Singh and had eloped with him.

3. Learned counsel for the petitioner submits that petitioner was behind bars for the last more than seven months. The prosecutrix, her father and mother were examined in the trial but they did not support prosecution



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case and in the facts and circumstances of the case, petitioner deserved to be enlarged on bail.

4. Learned State counsel has not disputed the factual position while opposing the prayer for bail. Learned counsel for the complainant does not oppose the petition.

5. In her statement under Section 183 of Bharatiya Nagarik Suraksha Sanhita (B.N.S.S.), 2023, recorded on 18.06.2025, prosecutrix did not incriminate the petitioner. She stated that she wanted to marry him in the month of June. Statements of the prosecutrix, her father and mother have been recorded during trial. There is, thus, no occasion for the petitioner to influence the witnesses or tamper with evidence. Considering the clean antecedents of the petitioner, the period of custody and all relevant facts and circumstances of the case, but without commenting on merits, the petition for regular bail is allowed. 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.

6. Pending applications, if any, stand disposed of.

(SHALINI SINGH NAGPAL)
JUDGE

31.01.2026
HS.CHAUHAN

<i>Whether Speaking/Reasoned :</i>	<i>Yes/No</i>
<i>Whether Reportable :</i>	<i>Yes/No</i>