



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

(234)

**CRM-M-70614-2025
Date of Decision: 27.1.2026**

Jaskaran Singh @ Sunny

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MS. JUSTICE KIRTI SINGH

Present: Ms. Molly Tarunima Tagore, Advocate
for the petitioner.

Mr. Luvinder Sofat, Sr. DAG, Punjab.

Mr. Sukhveer S. Killianwali, Advocate
for the complainant.

KIRTI SINGH, J. (ORAL)

1. The jurisdiction of this Court under Section 483 of BNSS, 2023 has been invoked for grant of regular bail to the petitioner in case FIR No. 175 dated 06.9.2025 under Sections 332, 63(b) and 64 of BNS, 2023 and Section 6 of the POCSO Act, 2012, registered at Police Station Kot Ise Khan, District Moga.

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

“Statement of Gurprem Singh, son of Swarn Singh, r/o Munawan, aged around 33 years, mobile no. 97816-xxxxxx. It is stated that "I am a resident of the above said address and work as a labourer. I reside in a room on the terrace. I have two children. That I have a minor daughter, named Gxxxxxx. That her date of birth is 04.12.2016. She studies in class 4, in Government School, Munawan. That, on 04.09.2025, I had gone to Kotkapura to work on a fast food van and my wife Ramandeep Kaur had gone to Gurudwara Sahib around 7.10 AM, for preparing langar. That on



05.09.2025, when I returned from my work, I saw my daughter, Gxxxxxx crying a lot. When I asked her the reason for crying. She told me that on 04.09.2025, at around 7:40 in the morning, Jaskaran Singh @ Sunny, son of Kashmir Singh, resident of Munawan came to our home and did wrong things with her and forcefully put his private part in her mouth and she began crying loudly and she tried to save herself by running from one part of the room to another. That when I discussed with my wife about the said incident she too cried and told me that their daughter also told her about the entire incident. That my mother, heard my daughter's shrieks and reach the room on the terrace. My mother saw Jaskaran Singh in a naked state, who ran away from the spot after picking his clothes. That if my mother would not have come up then something worse would have happened with my daughter. That I talked with my relatives regarding the said incident and came to the post Balkhandi to get my statement recorded. I have heard it, it is correct.”

3. Learned counsel for the petitioner *inter alia* submits that the petitioner, aged 19 years, has been falsely implicated in this case on the statement of the complainant, who is the father of the prosecutrix. In fact, a land dispute has been going on between the father of the petitioner and the complainant, and the present FIR has been lodged only to put pressure upon the petitioner's family to return the land in dispute to the complainant. It is also submitted that the alleged incident is stated to have taken place on 04.9.2025, however, the statement of the complainant was recorded after two days from the alleged occurrence, which creates doubt in the prosecution story. Moreover, there is a delay of six days in conducting medical examination of the prosecutrix. She further submits that the petitioner has undergone an actual custody of 04 months and 17 days and there is no other criminal case registered against him.

4. *Per contra*, learned State counsel as well as the learned counsel for the complainant have vehemently opposed the submissions made by the



learned counsel for the petitioner. They state that the petitioner was actively involved in the commission of the offence.

5. Learned State counsel 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 only 04 months and 17 days. The learned State counsel, on instructions from the investigating officer concerned, submits that in the present case, challan was presented on 03.11.2025 and the charges are yet to be framed. It is also submitted that the prosecutrix in her statement recorded under Section 183 of BNSS has supported the prosecution version. Therefore, it is submitted that in view of the serious allegations against the petitioner, he is not entitled to the concession of regular bail.

6. Heard.

7. *Prima facie* grave and serious allegations have been levelled against the petitioner that he did obscene acts with the minor prosecutrix, aged 09 years, after criminally trespassing into the house of the complainant. The prosecutrix in her statement recorded under Section 183 of BNSS has also supported the prosecution version. Under such circumstances, and considering the fact that charges have not been framed yet and the material witnesses are yet to be examined, this Court is not inclined to grant the concession of regular bail to the petitioner.

8. Accordingly, the present petition is hereby dismissed.

9. Nothing contained herein shall have a bearing on the merits of the case, and the trial Court is encouraged to conclude the trial expeditiously, independent of the observations made herein.



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

(KIRTI SINGH)
JUDGE

January 27, 2026
Gurpreet Singh

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