

2026:PHHC:048000



IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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CRM-M-73684-2025
Date of Decision: 25.03.2026

VICKY SINGH

....PETITIONER

VERSUS

STATE OF PUNJAB

....RESPONDENT

CORAM : HON'BLE MR. JUSTICE ALOK JAIN

Present : Mr. Munish Garg , Advocate for the petitioner.

Mr. Amandeep Singh, AAG, Punjab.

ALOK JAIN, J. (Oral)

1. The present petition has been *inter alia* filed praying for grant of regular bail to the petitioner in case FIR No.0097 dated 10.07.2025, under Sections 137(2) and 87 of Bharatiya Nyaya Sanhita, 2023, registered at Police Station City-I, Mansa, District Mansa.

2. Learned counsel for the petitioner submits that the petitioner is a young boy of 25 years and has not committed any crime. It is further submitted that it is a positive case of the petitioner that, in fact, the prosecutrix, who is young girl of 14 years, was beaten up at her home and she left her home on her own. It is further submitted that there was no physical assault on the prosecutrix. Learned counsel for the petitioner specifically emphasizes that the victim refused to undergo the medical examination and has not supported the FIR while recording her statement under Section 183 of the BNSS. It is further submitted that the complainant is the grandmother of the prosecutrix, and prosecutrix had already lost her

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parents and was facing atrocities at the hands of her uncle and aunt. However, a simple FIR of a missing girl has been converted into a case of physical assault for which the petitioner has been in custody for more than eight months.

3. *Per contra*, learned State counsel has filed the custody certificate, which is taken on record. As per the same, the petitioner has been in custody for the last 8 months. Learned State counsel submits that the petitioner is a habitual offender and has already stands convicted in one FIR and in another case, petitioner is undertrial. However, she could not deny the fact that the victim refused to undergo medical examination.

4. At this stage, learned counsel for the petitioner has submitted that the complainant has not been coming forward to get her testimony recorded. Learned counsel has further submitted that the charges were framed on 10.12.2025, and on the last three occasions, the complainant has failed to appear, due to which the Court has issuedailable warrants. Learned State counsel has clarified that, as per his information, the warrants issued have not yet been received back, served or otherwise. Nonetheless, it is apparent that the complainants are not coming forward to get her testimony recorded.

5. Heard learned counsel for the parties at length and gone through the record.

6. Considering the fact that there is no allegation of any physical assault against the petitioner and more so, the petitioner has been in custody

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for the last more than 08 months, therefore, no useful purpose would be served by keeping the petitioner in custody. Accordingly, the petitioner is held entitled to the concession of regular bail.

7. In light of above, without commenting upon the merits of the case, the present petition stands allowed and the petitioner is ordered to be released on bail, if not required in any other case, on furnishing bail bonds and surety bonds to the satisfaction of the trial Court/Duty Magistrate, concerned. The petitioner shall, however, be released on the following conditions:

- i. The petitioner shall declare his ordinary place of residence and the mobile number used by him.
- ii. The petitioner will not switch off his mobile and in case of any technical glitch, he has to give an alternate number, which will be available in his absence.
- iii. The petitioner will mark his presence before the SHO concerned, after every 15 days and in case the SHO refuses to mark his presence, he is permitted to make an application before the Illaqa Magistrate, concerned.
- iv. The petitioner will not leave the country without the prior permission of the Court, for which he will submit the copy of his passport also. However, in case the petitioner does not possess a passport, then he shall file an undertaking to the said effect before being released.

The petitioner shall abide by the terms and conditions as imposed in addition to Section 483 of BNSS, 2023.

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8. However, nothing stated above shall be construed as a final expression of opinion on the merits of the case and this order shall not be considered as parity qua any other co-accused in any manner whatsoever.
9. It is further made clear that, in case, the petitioner is found involved in any such activity once again, the State is at liberty to promptly move an appropriate application for cancellation of bail detailing out the circumstances and violation of conditions of bail.
10. Pending application(s), if any, shall stand disposed of.

March 25, 2026
Poonam Sharma

(ALOK JAIN)
JUDGE

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|-------------------------------------|---------------|
| 1. <i>Whether speaking/reasoned</i> | <i>Yes/No</i> |
| 2. <i>Whether reportable</i> | <i>Yes/No</i> |