

IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

2025:PHHC:124304



211

CRM-M-37223-2025 (O&M)  
Date of Decision: 10.09.2025.

Jashandeep Singh @ Mota

...Petitioner.

Versus

State of Punjab and another

...Respondents.

\*\*\*

**CORAM: HON'BLE MRS. JUSTICE SUKHVINDER KAUR**

.....

Present: Mr. A.S. Manaise, Advocate for the petitioner.

Mr. Navdeep Singh, DAG, Punjab.

\*\*\*

**SUKHVINDER KAUR, J. (Oral)**

Present petition has been filed under Section 482 of BNSS for grant of anticipatory bail to the petitioner in FIR No.37 dated 06.05.2025 under Sections 6, 17 of Protection of Children from Sexual Offences Act (Amended), 2012, 2019 and Section 506 of IPC, registered at Police Station Majitha, Amritsar Rural, District Amritsar.

Brief facts of this case are that the present FIR was registered on the basis of complaint filed by Baljinder Singh i.e. father of the victim, stating therein that on 09.05.2024 at about 11:30 A.M., three boys, namely, Jashandeep Singh @ Mota son of Amanpreet Singh, Jashanpreet Singh son of Gurvinder Singh and Suraj son of Kujjo, took the complainant's son Harjot Singh to the house of Jashanpreet Singh from where they threatened and forcibly committed unnatural sexual acts with him one by one. The said persons also made a video of the entire incident and showed the same to one

Sonu. Accordingly, FIR in question was registered against the petitioner and other persons.

Learned counsel for the petitioner contended that the petitioner has been falsely implicated in the present case. There is unexplained delay of about one year in lodging of the FIR. The petitioner was minor at the time of the alleged occurrence. He prayed that custodial interrogation of the petitioner is not required and he is ready and willing to join the investigation and the present petition be allowed.

Notice was issued in this case on 16.07.2025 and status report was called from the State, which has been filed in the Court today and the same was taken on record.

Learned State counsel has opposed the petition and submitted that the allegations levelled against the petitioner are grave and serious in nature and as such he is not entitled to the concession of regular bail.

Heard.

As per the allegations, the petitioner along with other co-accused committed unnatural sexual act with the minor victim. There is unexplained delay of about 11 months and 27 days approximately in the registration of the FIR. It has also been alleged that they made a video of the entire incident and showed the same to one Sonu, but there is nothing to show that the said video had ever been seen by the complainant. So only on, just hearsay, statement of one Sonu, the allegations regarding making video are there. The present case also lacks the medical evidence of the victim. As per status report, it has been submitted that swabs, slides and clothes were sent for DNA analysis and sperm and spermatozoa detection to FSL Mohali, which had been received back with an objection from FSL Mohali that

report cannot be prepared without matching of DNA of the accused. The petitioner is alleged to be a juvenile at the time of commission of the alleged offence. The petitioner is not found to be involved in any other criminal case. The custodial interrogation of the petitioner is not required for any purpose and no useful purpose would be served by sending the petitioner behind the bars.

Accordingly, without commenting on the merits of the case, the present petition is allowed. In the event of his arrest, the petitioner is ordered to be released on bail, on his furnishing bail/surety bonds, to the satisfaction of the Arresting Officer/ Investigating Officer, subject to the conditions, as provided under Section 482(2) of BNSS. It will be open for the Investigating Officer to call the petitioner to join investigation, if so required, by issuing a written notice in this regard and he shall abide by the conditions mentioned in Section 482(2) of the BNSS.

However, nothing observed herein above shall be construed to be an expression of opinion on the merits of the case. The observations recorded above are only for the purpose of deciding the present bail application.

Pending application(s), if any, shall also stand disposed of.

**(SUKHVINDER KAUR)**  
**JUDGE**

**10.09.2025.**

*Komal*

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