



IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CRM-M-44940-2025  
Decided on: 22.08.2025

RAVI

. . . Petitioner

Versus

STATE OF PUNJAB

. . . Respondent

**CORAM: HON'BLE MS. JUSTICE KIRTI SINGH**

PRESENT: Mr. B.S. Chahal, Advocate for  
Mr. Madhur Jangra, Advocate  
for the petitioner.

Ms. Aakanksha Gupta, AAG, Punjab.

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**KIRTI SINGH, J. (Oral)**

1. This is first petition filed under Section 483 of BNSS for grant of regular bail to the petitioner in case FIR No.254 dated 20.12.2024, under Sections 96, 137(2), 64, 65(1), 351(2), 3 (5) of BNS and Sections 4 and 17 of POCSO Act, 2012, registered at Police Station Lehra, District Sangrur.
2. The contents of the aforesaid FIR are reproduced herein below:-

*“Copy of statement. Statement of XXX Kaur daughter of Gurjant Singh resident of Lehal Kalan, Police Station Lehra, District Sangrur, aged about 14 years, Mobile No.78371-13277. Stated that I am a resident of above mentioned address and I am a student of Class 8<sup>th</sup> at Colonel Public School, Chulad Kalan. My date of birth is 07.11.2011. On 18.12.2024 at 9:00 AM I alongwith my father Gurjant Singh son of Gurnam Singh resident of Lehal Kalan went to Lehra to get medicines and my friend namely Kiranpal Kaur daughter of not known had also come alongwith us by bus to Lehra Bus stand and she is a resident of Lehal kalan which is nearby to Gurudwara of our village. I don't know her age and she is 12th class passed. The abovesaid Kiranpal Kaur told my father that she has to take me with her to get books. When my father left me there at bus stand then Kiranpal Kaur took me to the railway track and started talking to me which took a long time. Then at about 5:00 PM Dilshan Khan son of not known resident of Lehra aged about 18 years whom I only know as acquaintance came there in Swift car which was being by Raman Kumar. He threatened me that if you*



*don't get in the car I will kill your family members and then I went into the car in fear. Then Dilshan and Kiranpal kaur forcibly given me narcotic pills, after which I lost consciousness and when I regained consciousness then I found myself in Royal Hotel, Jakhal Road, Lehra and I had no clothes on my body. Then I got scared. I was having pain in my lower body because Dilshan Khan had forcibly developed physical relations with me by giving narcotic pills and at the time was around 6/7. I put on my clothes and Dilshan came to the room. Then Kiranpal Kaur also came outside the hotel. On 19.12.2024 at about 9:00 PM Dilshan Khan and an unknown boy dropped me at Lehra Bye pass on motorcycle. When they dropped me at Lehra bye pass Kiranpal Kaur and my sister were already standing there. Dilshan Khan and the unknown boy dropped me there and left. After that Kiranpal Kaur and my sister walked to Lehra bus stand where Kiranpal Kaur threatened me that if you tell anyone about this I will kill you and your family members and in the meanwhile Kiranpal Kaur received phone call from my father Gurjant Singh. I spoke to my father and thereafter Kiranpal Kaur left me at bus stand in panic and she boarded the bus. My father Gurjant Singh and uncle Nirmal Singh son of Sukhwant Singh resident of Lehal Kalan, came to the bus stand and took me to police station Lehra. At that time I was scared and did not tell anything to the police, thereafter after reaching house, I told everything to my aunt Balwinder Kaur alias Charno wife of Nirmal Singh resident of Lehal Kalan. Today alongwith my father Gurjant Singh and uncle Nirmal Singh came to police station for giving information. Dilshan Khan, Kiranpal Kaur and unknown boy in connivance with each other took me to Royal Hotel, Jakhal Road, Lehra and they gave narcotic pills to me and did wrong things to me therefore, it is requested that necessary action may kindly be taken. Statement got recorded which is heard and the same is true and correct. Sd/- XXX Kaur. Verified by LTI Gurjant Singh son of Gurnam Singh resident of Lehal Kalan, P.S Lehra, attested by Amandeep kaur, SI, P.S Lehra, dated 20.12.2024.”*

3. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case, being the Manager of Hotel where the alleged incident took place. It is submitted that the petitioner was not named in the FIR, and neither is any specific role with respect to the alleged offence attributable to him. Further, there is no evidence on record to indicate towards the complicity of the petitioner. Infact, the petitioner was shown fake ID's to secure a room at the hotel of which he was incharge. It is also submitted that the one of the co-accused against whom direct allegations were levelled, has been granted the concession of regular bail by



Juvenile Justice Board, Sangrur vide order dated 29.01.2025 (Annexure P-2). The petitioner is in custody since 07.01.2025, and has already faced a prolonged incarceration for a period of 07 months and 13 days till date.

4. *Per contra* learned State counsel has opposed the bail and submits that there are serious allegations against the petitioner. She has filed custody certificate in Court today and the same is taken on record. As per custody certificate, the petitioner has undergone actual custody of 07 months and 13 days. She on instructions from ASI Rameshwar Ram, submits that charges were framed on 01.03.2025 and out of total of 22 prosecution witnesses, 03 witnesses have been examined till date. She, however, submits that in view of the serious allegations against the petitioner, he is not entitled to the concession of regular bail.

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

6. From a perusal of the case in hand, it transpires that the petitioner is behind the bars since 07.01.2025. Investigation is complete. The final report under Section 173 Cr.P.C. was presented before the concerned Court; and trial of the case has not made much progress, as charges were framed on 01.03.2025 and out of a total of 22 prosecution witnesses, only 03 witnesses have been examined till date. The culpability, if any, would be determined at the time of trial. 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. The grant of bail is warrants drawing a delicate balance of competing legal and societal interests. It is settled law that personal liberty of an individual, a cherished constitutional guarantee, cannot be taken away except in accordance with the procedure established by law. A person accused of committing non-bailable offences can be detained in custody during the pendency of the trial, unless enlarged on bail. However, exercising judicial discretion in bail matters, Courts must be guided by a calibrated assessment of factors such as the nature and gravity of the offence so alleged, the strength of the prima facie case, the likelihood of the accused fleeing justice, tampering with evidence or influencing witnesses, and the overarching interest in ensuring that the trial proceeds fairly and without obstruction.

8. Accordingly, 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 she 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/her from disclosing such facts to the Court or to any police officer or tamper with the evidence.

9. 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.

10. 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.

11. Meanwhile, learned trial Court is encouraged to conclude the trial expeditiously.

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

**(KIRTI SINGH)**  
**JUDGE**

**22.08.2025**

*Ithlesh*

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