



CRM-M-11148-2024

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211 IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-11148-2024

Date of decision: 27.05.2025

SUKHJINDER SINGH @ SUNDARI

....Petitioner

Versus

STATE OF PUNJAB

....Respondent

CORAM: HON'BLE MRS. JUSTICE **AMARJOT BHATTI**

Present: Mr. Ishan Dogra, Advocate for
Mr. Vaibhav Garg, Advocate
for the petitioner.

Mr. Amit Shukla, DAG, Punjab.

AMARJOT BHATTI, J.

Petitioner-Sukhjinder Singh alias Sundari has filed present petition under Section 439 of Cr.P.C. for grant of regular bail in FIR No.50, dated 06.04.2021, under Sections 376, 384, and 506 of IPC and Section 6 and 12 of POCSO Act & Section 67 of IT Act, 2000, registered at Police Station Division No.2, Pathankot.

2. As per facts of the case, complainant 'DS' gave his statement that his daughter i.e. victim aged about 16 years was studying in 10+2 Class. Sukhjinder Singh alias Sundari was serving in Gurudwara Akalgarh, District Pathankot. He stayed in his house for 15/20 days in January 2020. He kept bad eye on his daughter. Said Sukhjinder Singh alias Sundari left the house and started talking to his daughter on mobile phone. In April 2020, Sukhjinder Singh alias Sundari called his daughter who went to Gurdaspur along with his mother. His wife stayed in the Gurudwara whereas Sukhjinder Singh alias Sundari took his daughter to hotel Chennai Express Gurdaspur where he committed forcible rape with



her against her wishes and also prepared a video. He started blackmailing his wife and daughter and raised demand for money. During this period, he got Rs.5 lacs by different modes from his wife and daughter. Said Sukhjinder Singh alias Sundari again called her daughter in January 2021 and took her to Bixay Hotel Dhariwal and committed rape with her against her wishes. His daughter is being threatened by Sukhjinder Singh alias Sundari and his companions. Finally the matter was reported to the police.

3. Learned counsel for petitioner argued that allegations levelled against him are without any basis. Statements of complainant as well as victim have been recorded as PW-1 and PW-2 where they have not supported the prosecution case. He was arrested on 07.04.2021 and till date he is behind the bars. Other co-accused Jagjit Singh and Satbir Singh were granted anticipatory bail by this Court vide orders dated 17.08.2022 (Annexure P-3 and P-4). He is ready to abide by the terms of bail order, therefore, his regular bail petition may be allowed.

4. Status report has been filed, confirming the facts detailed in the FIR. It is pointed out that the challan was presented on 03.06.2021 and charges were framed on 26.07.2021. Out of 22 prosecution witnesses, only one witness was examined by the time status report was filed. It is pointed out that there were serious allegations against the petitioner, therefore, considering the gravity of offence, he is not entitled to be released on regular bail.

5. I have considered the arguments and have gone through the record carefully. Petitioner is behind the bars since 07.04.2021. Challan was presented on 03.06.2021 and charges were framed on 26.07.2021. At present statements of victim as well as complainant have been recorded



who did not support the prosecution version. Trial is going at a slow pace. Petitioner cannot be kept behind the bars for indefinite time period. So far as, the evidence recorded in this case will be considered by the trial Court at appropriate stage. Therefore, without going on the merits of the case, regular bail petition filed by the petitioner – Sukhjinder Singh alias Sundari is allowed. He is ordered to be released on bail on furnishing bail bonds and surety bonds to the satisfaction of trial Court/Duty Judge concerned. The trial Court is also directed to expedite the trial.

6. Pending miscellaneous application(s), if any, stand disposed of accordingly as well.

(AMARJOT BHATTI)
JUDGE

27.05.2025
monika

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| 1. Whether speaking/ reasoned | : | Yes /No |
| 2. Whether reportable | : | Yes /No |