



CRM-M-49346-2025

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

(208)

CRM-M-49346-2025.  
Date of Decision:-09.09.2025.

Harwinder Singh alias Harry

.....Petitioner

Versus

State of Punjab

.....Respondent

**CORAM: HON'BLE MR. JUSTICE ALOK JAIN**

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Present: Mr. J.K. Singla and Ms. Suman Rani,  
Advocates for the petitioner.

Mr. Amandeep Singh Samra, AAG, Punjab.

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**ALOK JAIN, J. (Oral)**

1. The present petition is for grant of regular bail to the petitioner in FIR No.71 dated 15.07.2022 under Sections 363, 366 of IPC, (Act No.45 of 1860), and later on, offence under Section 376 of IPC and Sections 3 and 4 of the POCSO Act was added vide DDR No.49 dated 16.07.2022, registered at Police Station Joga, District Mansa.

2. Notice of motion.

3. Mr. Amandeep Singh Samra, AAG, Punjab, accepts notice on behalf of the respondent-State and has filed the custody certificate which is taken on record.

4. The petitioner happens to be the real brother of the main



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accused Sukhwinder Singh against whom, the allegations were made that he had allured the daughter of the complainant under the pretext of marriage and committed wrongful act, while the petitioner had accompanied the said co-accused. Admittedly, the said accused Sukhwinder Singh has been exonerated/acquitted by the Juvenile Justice Board, Mansa, vide order dated 05.12.2023, however, the petitioner is in custody for the last 02 months and 17 days.

5. Heard the learned counsel for the parties.

6. In light of the above coupled with the fact that the petitioner is in custody since 22.06.2025 and the trial is likely to take time, no useful purpose would be served by keeping the petitioner in custody, hence, the petitioner is entitled to the grant of concession of regular bail.

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

- ❖ The petitioner shall declare his ordinary place of residence and the mobile number used by him.
- ❖ He 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.
- ❖ He will mark his presence before the SHO concerned, after every 15 days and in case the SHO refuses to mark his presence, he is



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permitted to make an application before the Illaqa Magistrate, concerned.

❖ He 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 valid passport, then he shall file an undertaking to the said effect before being released.

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

9. 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.

10. It is 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 the condition(s) of bail.

**(ALOK JAIN)**  
**JUDGE**

**September 09, 2025.**

*S. Sethi*

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