



CRM-M-62271-2024 (O&amp;M) 1

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

CRM-M-62271-2024 (O&amp;M)

Date of Decision:-27.05.2025

Dalvir Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

**CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI**

Present:- Mr. Sumeet Puri, Advocate for the petitioner  
(Through V.C.).

Mr. G.S. Bhullar, AAG, Punjab.

Mr. Rakesh Gupta, Advocate for  
Mr. H.S. Mann, Advocate for the complainant.

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**JASGURPREET SINGH PURI J.(Oral)**

1. The present petition has been filed under Section 483 of BNSS, 2023 for grant of regular bail to the petitioner in case bearing FIR No.157 dated 22.07.2024 under Sections 376 and 506 of IPC, Section 4 of POCSO Act and Section 67-A of I.T. Act, registered at Police Station City Sangrur, District Sangrur.

2. Learned counsel appearing on behalf of the petitioner who appeared through V.C. submitted that the petitioner has been in custody for about 09 months and 14 days and 02 prosecution witnesses including the complainant have also been examined. He submitted that the allegations against the petitioner were that he had taken away the minor daughter of the complainant who was 16 years of age and was studying in 10+2 at the time of



incident and thereafter had not only committed rape upon her but also uploaded some videos of the same on the internet through WhatsApp messages. After learning the same, the present FIR was lodged. He further submitted that there was no such uploading of any video or any photograph of the daughter of the complainant and this Court had put a query to the respondent-State on 14.05.2025 in this regard to which learned State counsel sought time to file a specific affidavit in this regard. He submitted that so far as the allegations of rape are concerned, the daughter of the complainant has refused to undergo medical examination and therefore considering the aforesaid facts and circumstances, the petitioner may be considered for the grant of regular bail.

3. On the other hand, learned State counsel submitted that, insofar as the custody of the petitioner is concerned, the same is correct. He also submitted that 02 prosecution witnesses, including the complainant, have already been examined. He further submitted that he has sought instructions to state that so far as the uploading of videos of the daughter of the complainant is concerned, it has been found that neither any such video was uploaded, nor any such video has been found. As far as the allegations of rape are concerned, the prosecutrix has refused to undergo medical examination. He, however, submitted that the allegations against the petitioner are serious in nature and therefore, the petitioner does not deserve the concession of regular bail.

4. Mr. Rakesh Gupta, Advocate appearing for Mr. H.S. Mann, Advocate, has appeared on behalf of the complainant and submitted that he



has sought specific instructions from the victim/complainant to state that they have no objection for grant of bail to the petitioner.

5. I have heard the learned counsels for the parties.

6. The custody of the petitioner is stated to be about 09 months and 14 days and as per learned counsels for the parties, 2 prosecution witnesses, including the complainant, have already been examined. As per the allegations contained in the FIR, the same was lodged on the basis of uploading of some videos and photographs on the whatsapp messages allegedly by the petitioner but it is so stated by learned State counsel on instructions that during the investigation it has been found that no such video and photograph was uploaded. So far as the allegations of rape are concerned, all the learned counsels for the parties have submitted that the prosecutrix has refused to undergo a medical examination. Even today learned counsel for the complainant has so stated that there is no objection for grant of regular bail to the petitioner. Furthermore, it is neither the case of the learned State counsel nor it has been argued that if the petitioner is released on bail, he may abscond, flee from justice, influence witnesses or tamper with evidence. Therefore, considering the totality of the circumstances, this Court deems it fit and proper to grant regular bail to the petitioner.

7. Consequently, the present petition is allowed. The petitioner shall be released on regular bail, if not required in any other case, subject to furnishing bail bonds/surety bonds to the satisfaction of the learned trial Court/Duty Magistrate concerned.



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8. However, anything observed hereinabove shall not be treated as an expression of opinion on the merits of the case and is meant for the purpose of deciding the present petition only.

**(JASGURPREET SINGH PURI)  
JUDGE**

**27.05.2025**  
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Whether speaking/reasoned : Yes/No  
Whether reportable : Yes/No