



CRM-M-592-2025

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

208.

CRM-M-592-2025

Date of Decision:05.03.2025

Dilshad Khan @ Muhammad Dilshad Khan

... Petitioner

Versus

State of Punjab

... Respondent

**CORAM : HON'BLE MR. JUSTICE NAMIT KUMAR**

Present: Mr. Ghulam Nabi Malik, Advocate  
for the petitioner.

Mr. Anup Singh, AAG, Punjab.

Ms. Navjot Narang, Advocate  
for the complainant.

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**NAMIT KUMAR, J. (ORAL)**

1. The instant petition has been filed under Section 483 of BNSS for granting bail to the petitioner in FIR No.81 dated 20.09.2024 registered under Sections 74, 351(2) of BNS and Section 12 of the POCSO Act at Police Station Sadar Ahmedgarh, District Malerkotla.

2. The aforesaid FIR was registered on the statement of the complainant, who is daughter of the petitioner stating therein that from last three years, she and her mother were residing separately at Akbarpur Channa and the petitioner was living with his second wife at village Umarpura. Her mother had filed a case for maintenance against the petitioner at Malerkotla, which was fixed for hearing on 16.09.2024. When the complainant along with her mother went to the Court on 16.09.2024, petitioner offered her mother to join his company at village Umarpura and to pay the total maintenance amount there. They went to village Umarpura and stayed there overnight. On 17.09.2024 at around 8 PM,



when the complainant was alone in her room, petitioner locked the room and did obscene acts with her. On raising objection to said acts of the petitioner, he threatened the complainant to kill her if she disclosed anything to anybody. Due to fear, she kept mum. Next day, the complainant returned to her home at Akbarpur Channa and disclosed the entire incident to her aunt namely Sajia Parveen, who told everything to her mother. Legal action was sought to be taken against the petitioner.

3. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case. The alleged incident was stated to have occurred on 18.09.2024 whereas Naziya Parveen, first wife of the petitioner, had withdrawn the complaint filed by her against the petitioner on 20.09.2024. It is further submitted that if she was aware of the incident on 19.09.2024 as alleged in the FIR (supra), she could not have withdrawn her complaint. There are material contradictions in the version of the complainant recorded in the FIR and the statement made by her on 21.09.2024 before the learned JMIC, Malerkotla under Section 164 Cr.P.C. He further submits that the petitioner is behind bars since 21.09.2024 and the trial is likely to take some time to conclude and, therefore, prays for concession of bail to the petitioner.

4. Learned State counsel and the counsel appearing for the complainant have opposed the prayer of the petitioner seeking concession of bail. It is submitted by the learned State counsel that charges in the present case have been framed. There are total 12 prosecution witnesses, however, none has been examined as yet, including the complainant.

5. I have heard learned counsel for the parties and have perused the paper book.

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6. The allegations levelled against the petitioner are serious in nature and charges have been framed against him. Furthermore, the complainant is daughter of the petitioner, who is yet to be examined and, therefore, there are chances that the petitioner may pressurize and influence the complainant and other material witnesses. Thus, this Court does not find any ground to grant concession of bail to the petitioner at this stage.

7. Consequently, the instant petition stands dismissed.

**(NAMIT KUMAR)**  
**JUDGE**

**March 05, 2025**

Pankaj\*

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