



CRM-M-28879-2025

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

CRM-M-28879-2025

Date of Decision:- 29.09.2025

KARAMJIT SINGH ALIAS KARMA

...Petitioner

Vs.

STATE OF PUNJAB AND OTHERS

...Respondents

CORAM:- HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present:- Mr. I.S. Dhaliwal, Advocate for the petitioner.

Ms. Manjot Kaur, AAG, Punjab.

Mr. Amandeep Singh Saini, Advocate for respondent No.2.

AMARJOT BHATTI, J. (Oral)

1. Petitioner has filed instant petition under Section 483 (wrongly written as 528) of Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail in FIR No.46 dated 28.09.2018 under Sections 363/366-A, 376, 120-B of IPC and Sections 3 and 4 of POCSO Act, and Section 83 of Cr.P.C. (Section 376 of IPC added later-on)) registered at Police Station Lakhewali, District Sri Muktsar Sahib (Annexure P-1).

2. As per facts of the case, complainant 'KK' gave her statement that she is mother of two children. Victim 'M' aged 15 years was studying



in 11th class. On the day of occurrence i.e. on 27.09.2018 at about 8 am, her daughter was present at bus stop of the village for going to school. Complainant was going to handpump to fetch water and on her way back, she saw Robert alias Robby came on motorcycle with Karma Singh son of Kala Singh pillion rider and they met her daughter and took her with them on motorcycle and went away. Robin Masih returned to village after leaving her daughter with Karma Singh. Her daughter did not return home till evening. They started searching for her. Complainant suspected that Karma Singh took away her daughter for performing marriage. With these allegations, present FIR has been registered.

3. Learned counsel for the petitioner argued that allegations levelled against him are false. Alleged victim left the house on her own. In fact, they have performed marriage and started residing together. They filed CRWP-12323-2021 in which the parents also gave consent for their marriage. Order passed in the said criminal writ petition dated 16.03.2022 is Annexure P-2. Without considering factual position, his second regular bail application was wrongly declined by Judge Special Court, Sri Muktsar Sahib vide order dated 01.03.2025 (Annexure P-3). Now statements of complainant and the victim are also recorded. He is ready to abide by the terms of bail order.

4. Bail petition is opposed by learned counsel representing State. It is pointed out that at the time of commission of said offence, victim was minor. Present petitioner was arrested on 26.12.2024. Challan against



petitioner was presented on 11.01.2019. Charges were framed on 13.02.2019. Petitioner was granted bail by learned Judge, Special Court, Sri Muktsar Sahib on 26.07.2019. Petitioner absented on 30.09.2019 and proclamation was issued qua him and he was declared proclaimed offender on 29.11.2021. Thereafter, he had filed criminal writ petition No.12323 of 2021 seeking protection on the basis of marriage performed with the victim which was dismissed as withdrawn vide order dated 16.03.2022. He was again arrested on 26.12.2024. Along with the supplementary status report, State counsel has placed on record statement of complainant as PW1 and statement of victim as PW2 which are Annexures R-2 and R-3 respectively. It is pointed out that considering the conduct of petitioner, he is not entitled to the concession of regular bail.

5. I have considered the arguments and have gone through the record carefully. As per the facts narrated in the FIR, occurrence pertains to 27.09.2018. FIR was lodged by the mother of the victim. Present petitioner was specifically named. Initially, accused was arrested in this case and was granted regular bail by learned Judge Special Court, Sri Muktsar Sahib on 26.07.2019. During the proceedings of the trial, present petitioner absented and he was declared proclaimed offender vide order dated 29.11.2021 and he was again arrested on 26.12.2024. During the pendency of the trial as detailed in status report, prosecution has already examined as many as 14 witnesses out of 21 prosecution witnesses. Along with supplementary status report, statement of the complainant recorded as PW1 and statement of



victim recorded as PW2 are placed on record as Annexure R-2 and Annexure R-3 respectively. Along with the present bail petition, counsel for petitioner has placed on record copy of order dated 16.03.2022 passed in CRWP-12323-2021 (Annexure P-2) according to which alleged victim and the present petitioner allegedly got married and also produced statements of parents of the victim. As per case of prosecution, at the time of alleged occurrence, victim was a minor. Trial is going on. Evidence and the documents on record will be considered by the trial Court at appropriate stage. Without commenting on the merits of the case, regular bail petition filed by the petitioner is allowed and he is ordered to be released on bail on furnishing bail bonds and surety bonds to the satisfaction of trial Court/Duty Judge, concerned.

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

(AMARJOT BHATTI)
JUDGE

29.09.2025

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