

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

**CRM-22392-2025 in/and
CRM-M-28476-2025
Date of Decision: 12.06.2025**

VIKRAM SINGH **VS.** **... PETITIONER**
STATE OF PUNJAB **.. RESPONDENT**

CORAM: HON'BLE MR. JUSTICE ROHIT KAPOOR

Present: Mr. Inderjit Sharma, Advocate, for the petitioner.

ROHIT KAPOOR, J. (ORAL)

CRM-22392-2025

1. Prayer in this application is for impleading the complainant, namely, Satwinder Kaur, as respondent No.2.
2. In view of the averments made in the application, which is duly supported by an affidavit of the applicant, the same is allowed.
3. Amended memo of parties is taken on record, subject to all just exceptions.

CRM-M-28476-2025

4. The instant petition has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 for seeking concession of anticipatory bail in FIR No. 0022 dated 18.04.2024 under added offences under Section 6 of the Protection of Children from Sexual Offences Act, 2012 (for short 'the POCSO Act') and Sections 366-A and 376 of the Indian Penal Code (for short 'IPC') vide order dated 03.03.2025 passed by the Special Court, Gurdaspur, registered at Police Station Tibber, District Gurdaspur.
5. Learned counsel for the petitioner, *inter alia*, contends that initially the aforesaid FIR had been registered under Sections 363 and 366

IPC and concession of regular bail was granted by a Coordinate Bench of this Court vide order dated 25.07.2024 (Annexure P-2) in CRM-M-34497-2024. The petitioner has not misused the concession of regular bail granted to him. However, the learned Special Court on the basis of the statement made by the victim on 07.10.2024 added the charges under Section 6 of the POCSO Act and Sections 376, 366-A IPC vide order dated 03.03.2025.

6. It is further contended by learned counsel for the petitioner that the statement of the victim is a complete contradiction with the statement made by her under Section 164 Cr.P.C and same appears to be having been made under pressure. The petitioner has no criminal past antecedents and there is no likelihood of him fleeing from justice.

7. Mr. Ishan Kaushal, AAG, Punjab, appears on behalf of the respondent-State, on advance notice and states that added charges are serious in nature and in view thereof, the learned Special Court refused the prayer of the petitioner for grant of anticipatory bail. However, it is not disputed that the petitioner has no prior criminal antecedents and has not abused the concession of regular bail granted in his favour.

8. Keeping in view the overall facts and circumstances of the case, I find that no fruitful purpose would be served to send the petitioner behind the bars, at this stage. As a result thereof, the instant petition is allowed and petitioner is granted anticipatory bail and in the event of his arrest, he shall be admitted to anticipatory bail on furnishing of his adequate bail/surety bonds to the satisfaction of Arresting Officer/Investigating Officer, subject to the conditions envisaged under Section 482 (2) of Bharatiya Nyaya Sanhita, 2023/438(2) of Cr.P.C.

9. It is made clear that this Court has not expressed any opinion on the merits of the case and in the event of any misuse of the concession of anticipatory bail or the petitioner not adhering the conditions imposed upon him, it would be open to the State/complainant to seek cancellation of the bail granted in favour of the petitioner .

12.06.2025
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(ROHIT KAPOOR)
JUDGE

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