

2025:PHHC:112465



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

208

CRM-M-33986-2025  
Date of Decision: 25.08.2025

**MANDEEP SINGH @ JAGGU**

... Petitioner

VERSUS

**STATE OF PUNJAB AND OTHERS**

... Respondents

**CORAM: HON'BLE MS. JUSTICE SHALINI SINGH NAGPAL**

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Present: Mr. Lovish Arora, Advocate  
for the petitioner.

Mr. Hardeep Singh Wadhwa, DAG, Punjab.

Mr. Saksham Khunger, Advocate  
for respondents No.2 and 3.

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**SHALINI SINGH NAGPAL, J. (ORAL)**

Petitioner seeks regular bail in case vide FIR No.39 dated 30.03.2024, under Sections 363, 366-A and 376-D of Indian Penal Code, 1860 and Sections 3 and 4 of Prevention of Children from Sexual Offences, Act, 2012 Police Station Baghapurana, District Moga. This is his first application for regular bail.

FIR in the case was registered on complaint of one "T", father of prosecutrix, who stated that he was a labourer and had three daughters, youngest being the prosecutrix, aged 16 years (date of birth 01.01.2009). Mandeep Singh @ Jaggu (petitioner herein) son of Sewak Singh had been wandering outside their house. On 28.03.2024, prosecutrix was alone at home. When he and his family members returned home at around 06.00 p.m., prosecutrix was found missing. On enquiry, Mandeep Singh @ Jaggu was also

found missing. He suspected that Mandeep Singh @ Jaggu had enticed away his daughter on the pretext of marriage. He, therefore, prayed for initiation of criminal action.

Learned counsel for the petitioner submits that petitioner had been falsely implicated in the case and he had nothing to do with the offence in question. He further submitted that after framing of charges, prosecutrix and complainant were examined by learned trial Court on 14.08.2024 and 04.09.2024 respectively, but they did not support prosecution case. Even during their cross-examination, nothing favourable to the prosecution could be elicited. One Major Singh, Ex-Sarpanch of the village and Paramjeet Singh, uncle of the prosecutrix were also examined as PW4 and PW8 respectively, but they too did not support prosecution case. It was argued that there was no likelihood of conviction of the petitioner, even DNA report was not yet submitted in the Court. A prayer was thus made to release the petitioner on regular bail.

Learned State Counsel, on the other hand, has filed status report opposing grant of regular bail to the petitioner. He, however, does not dispute the factum of the prosecutrix and her father having resiled from prosecution case.

Custody certificate has been placed on record, according to which, petitioner is in custody for the last 01 year, 04 months and 22 days. His antecedents are clean and he is not involved in any other criminal matter. Statements of the prosecutrix, PW1, that of the complainant, her father, PW2, Ex-Sarpanch of the village Major Singh, PW4 and Paramjeet Singh, uncle of prosecutrix, PW8 are available on record. None of them have supported prosecution story of alleged kidnapping and sexual assault. There is now no

prospect of the petitioner influencing the witnesses. The DNA report is still awaited. Trial of the case may take some more time to conclude. Veracity of prosecution version can be determined only after conclusion of trial.

In this view of the matter but without commenting on merits of the case, the petition is allowed. The petitioner is ordered to be released on regular bail subject to his furnishing adequate bail and surety bonds to the satisfaction of trial Court/Duty Magistrate.

**(SHALINI SINGH NAGPAL)**  
**JUDGE**

**AUGUST 25, 2025.**

*Rajender*

*Whether speaking/reasoned : Yes/No*

*Whether reportable : Yes/No*