



CRM-M-53981-2025

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

(209)

CRM-M-53981-2025.

Date of Decision:-29.09.2025.

Ankush Mehra

.....Petitioner

Versus

State of Punjab and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE ALOK JAIN

Present: Mr. Shubham Kaushik, Advocate for the petitioner.

Mr. Amandeep Singh Samra, AAG, Punjab.

ALOK JAIN, J. (Oral)

1. The present petition is for grant of regular to the petitioner in case FIR No.91 dated 25.06.2025 under Sections 316(2), 64(1), 351(2) and 85 of BNS, 2023, registered at Police Station Tibba, Ludhiana (Annexure P-1).

2. Mr. Mohit Sharma, Advocate, has put in appearance on behalf of respondent No.2/complainant and filed his *vakalatnama*, which is taken on record.

3. Learned counsel for the petitioner submits that initially the provisions of POCSO Act, 2012, were invoked on account of wrong date of marriage mentioned by the complainant according to which, she was found to be 17 ½ years at the time of marriage, however, later on, the correct date



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of marriage was brought to record and, accordingly the rigors of POCSO Act were deleted. It is submitted that the petitioner and respondent No.2 are now married and living together as husband and wife, and in fact, have resolved their differences for which a compromise has also been effected between the complainant and the petitioner's father, as the petitioner was in custody. The complainant has also filed an affidavit before this Court affirming the same.

4. *Per contra*, learned State counsel, assisted by learned counsel for respondent No.2, has filed the custody certificate and opposed the grant of any concession to the petitioner. However, he could not deny the fact that the petitioner is in custody from 27.06.2025 and there is no other case against the petitioner.

5. In light of the above, coupled with the fact that the petitioner has been in custody since 27.06.2025 and the trial is likely to take time, no useful purpose would be served by keeping the petitioner in custody, hence, the petitioner is entitled to the grant of concession of regular bail.

6. Without commenting upon the merits, the present petition is allowed and the petitioner is ordered to be released on bail, if not required in any other case, subject to his furnishing bail and surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned. He shall, however, be released on the following conditions:

- ❖ The petitioner shall declare his ordinary place of residence and the mobile number used by him.
- ❖ He will not switch off his mobile and in case of any technical glitch,



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he has to give an alternate number, which will be available in his absence.

- ❖ He will mark his presence before the SHO concerned, after every 15 days and in case the SHO refuses to mark his presence, he is permitted to make an application before the Illaqa Magistrate, concerned.
- ❖ He will not leave the country without the prior permission of the Court, for which he will submit the copy of his passport also. However, in case, the petitioner does not possess a valid passport, then he shall file an undertaking to the said effect before being released.

7. The petitioner shall abide by the terms and conditions as imposed in addition to Section 483 of BNSS, 2023.

8. However, nothing stated above shall be construed as a final expression of opinion on the merits of the case and this order shall not be considered as parity qua any other co-accused in any manner whatsoever.

9. It is made clear that, in case, the petitioner is found involved in any such activity once again, the State is at liberty to promptly move an appropriate application for cancellation of bail detailing out the circumstances and violation of the condition(s) of bail.

(ALOK JAIN)
JUDGE

September 29, 2025.

S. Sethi

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