



CRM-M-4023-2025

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221 **IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

**CRM-M-4023-2025
Date of decision: 20.05.2025**

DILPREET SOHI**....Petitioner****Versus****STATE OF PUNJAB****....Respondent****CORAM: HON'BLE MRS. JUSTICE [AMARJOT BHATTI](#)**

Present: Mr. J.S. Brar, Advocate
for the petitioner.

Mr. Ajiab Singh, Addl. A.G., Punjab.

[AMARJOT BHATTI, J.](#)

Petitioner has filed present petition under Section 483 of BNSS, 2023 for grant of regular bail in FIR No.40, dated 16.04.2024, under Sections 376 and 506 of IPC and Section 4 of POCSO, Act registered at Police Station City-1, District Malerkotla.

2. As per facts of the case, on 15.04.2024 information was received from Police Chowki Civil Hospital, Malerkotla regarding admission of victim 'S' age about 16 years in Civil Hospital, Malerkotla under the compelling circumstances due to rape. SI Manjit Kaur and the police party reached the hospital and it was revealed that the victim was referred to Rajindra Hospital, Patiala. Thereafter, SI Manjit Kaur and the police party reached Rajindra Hospital, Patiala to record the statement of victim. Victim was declared fit to make the statement. After mid-night statement of mother of the victim was recorded who disclosed that her daughter i.e victim was born on 08.07.2007 who is studying in DAV College, Malerkotla. On the previous day, she had gone to her college but



did not return home. They inquired from the school but could not find anything about her. They started searching for the victim and at about 4 PM when they reached Sarhandi Gate near Nizamudin Hospital, they saw their daughter in the street in pathetic condition. She was taken to Civil Hospital, Malerkotla. Since her condition was serious, she was referred to Rajindra Hospital, Patiala. Her daughter disclosed that after the school hours when she came out, a car was parked outside the school and she was called by Dilpreet Sohi. He threatened to accompany her otherwise he would kill her and will also kill himself. Out of fear she sat in the car and went out of the city to some unknown place. Dilpreet developed physical relation with her against her consent. She was threatened not to disclose about this incident. With these allegations, present FIR was registered.

3. Learned counsel for petitioner pointed out that petitioner was arrested in this case on 21.04.2024 since then he is behind the bars. His regular bail was declined by the Additional Sessions Judge, Fast Track, Special Court, Sangrur vide order dated 09.12.2024 (Annexure P-1) without appreciating the facts of the case. Allegations levelled against him are false. The facts of the case indicates that their relationship was consensual. He has already joined the investigation. Challan is presented on 06.06.2024. He is ready to abide by the terms and conditions of bail order. It is submitted that his regular bail application may be allowed.

4. Learned counsel representing State filed detailed status report. It is pointed out that accused was arrested on 21.04.2024 and the car bearing registration No.HR-26-BX-9541 make Hyundai Verna, was also taken into police possession. The statement of the victim was recorded under Section 164 Cr.P.C. by Sub-Divisional Judicial Magistrate,



Malerkotla confirming the allegations. As per the admission record of the victim, her date of birth is 08.07.2007 thus she was a minor. Investigation was completed and the challan was presented on 13.06.2024, charge sheet is also framed under Sections 376 and 506 of IPC and Section 4 of POCSO Act vide order dated 30.08.2024 and now the case is pending for prosecution evidence.

5. I have considered the aforesaid factual position. Present petitioner is specifically named and the allegations are also specific and serious in nature. As per school record, the victim was minor at the time of said occurrence as referred above. On completion of investigation, challan is also presented and charge sheet is also framed. Statement of victim is yet to be recorded. Therefore, at this initial stage of the trial, I do not find it proper for grant of regular bail to petitioner and petition filed by him is accordingly dismissed.

(AMARJOT BHATTI)
JUDGE

20.05.2025
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| 1. Whether speaking/ reasoned | : | Yes /No |
| 2. Whether reportable | : | Yes /No |