



CRM-29064-2025 in/and
CRM-M-24522-2025

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

(106+207)

CRM-29064-2025 in/and
CRM-M-24522-2025.
Date of Decision:-04.08.2025.

Gurpreet Singh alias Guri

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE ALOK JAIN

Present: Mr. Shakti Mehta and Mr. Manglesh Kumar,
Advocates for the petitioner.

Mr. Sahil Chowdhary, AAG, Punjab.

ALOK JAIN, J. (Oral)

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For the reasons stated therein, the application for placing on record Annexures P-5 to P-9 is allowed as prayed for.

Annexures P-5 to P-9 are taken on record subject to just exceptions.

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1. The present petition is for grant of regular bail to the petitioner in case FIR No.13 dated 20.02.2025 under Sections 137 (2), 96, 65(1), BNS, Section 4 of the POCSO Act, 2012, registered at Police Station Moonak, District Sangrur.



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2. Learned State counsel has submitted that in compliance of the order dated 12.05.2025, the victim and complainant have been duly informed and he is making such statement on the instructions of ASI Tarsem Lal. Custody certificate filed by the learned State counsel is taken on record.

3. Learned counsel for the petitioner has submitted that the life and liberty of the petitioner has been put to peril without there being any cogent or substantial allegations made against him. A perusal of the FIR read with the statement of the prosecutrix recorded demonstrates that the petitioner is an owner of an eating joint/ Café in the name and style of PB-65 Café at AC Market, Moonak. Apart from this fact, that the prosecutrix and the main accused visited that Café after the prosecutrix allegedly eloped from the school, is the only allegation against the petitioner. There is not even a single word with regard to commission of any offence by the petitioner and the petitioner is in custody for the last 05 months and 06 days as per the custody certificate submitted by the learned State counsel.

4. *Per contra*, learned State counsel submits that the petitioner was an active participant in the commission of offence and his premises has been used for the commission of offence. The said fact is vehemently opposed by learned counsel for the petitioner.

5. Heard the learned counsel for the parties.

6. Considering the above factual matrix that the allegations levelled against the petitioner do not apparently constitute any offence as the petitioner cannot stop any customer to visit his café more so,



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considering the statement made by the prosecutrix and the cross-examination suffered there is nothing coming out against the petitioner.

7. The petitioner is in custody since 27.02.2025 and the trial is likely to take time, hence, no useful purpose would be served by keeping the petitioner in custody.

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

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

10. 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



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considered as parity qua any other co-accused in any manner whatsoever.

11. 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

August 04, 2025.

S. Sethi

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