



CRM-M-28283-2025

-1-

225

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

CRM-M-28283-2025

Date of Decision:- 09.10.2025

Harbans Singh

...Petitioner

Vs.

State of Punjab

...Respondent

CORAM:-HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present:- Mr. Rajesh Bhatheja, Advocate
for the petitioner.

Ms. Manjot Kaur, AAG, Punjab.

AMARJOT BHATTI, J.(ORAL)

1. Petitioner – Harbans Singh has filed petition under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail in FIR No. 33 dated 29.03.2025 under Section 10 and 11 of Prohibition of Child Marriage Act, 2006, under Section 4 and 6 of POCSO Act and under Section 64 of Bharatiya Nyaya Sanhita, 2023 (Section 18 of Hindu Marriage Act, 1955 and Section 336(2), 338, 336(3), 340, 61(2), 317(2) of Bharatiya Nyaya Sanhita, 2023 added later on) registered at Police Station Sadar Moga, District Moga (Annexure P-1).

2. As per the facts of case, complainant Pargat Singh gave his statement that he got married with Sarabjit Kaur in the year 2010 and out of this wedlock they were having four children. Eldest daughter 'MK' was born on 19.05.2011. His wife was having illicit relations with



Baljit Singh son of Bagga Singh and therefore, matrimonial dispute started. Finally, his wife started residing in her parental house at village Salina alongwith children for the last about one and half years. Accused namely Baljit Singh, complainant's wife Sarabjit Kaur, father-in-law Nachhatar Singh, sisters-in-law Nikke Kaur and Karamjit Kaur and Harbans Singh in connivance with each other solemnized marriage of his daughter 'MK', aged about 13 years 10 months with one Jagga Singh by preparing a forged and fabricated Aadhaar Card. His daughter was minor. On coming to know about this fact, he lodged present report.

3. Learned counsel for petitioner argued that he is falsely implicated in this case. He is not Mediator in marriage of daughter of complainant nor he participated in said marriage. He is falsely implicated since he knows both sides as they were working in same brick-kiln. He was arrested in this case on 22.04.2025. He will abide by terms of bail order. Therefore, his regular bail petition may be allowed.

4. Status report filed. Bail petition is opposed on the ground that present petitioner played active role in performing marriage of minor daughter of complainant with Jagga Singh. False Aadhaar Card was prepared to show minor daughter as major. During investigation, it was found that victim was three months pregnant. Present petitioner was arrested on 22.04.2025. Pregnancy was terminated as per law. Considering the gravity of offence, petitioner is not entitled to be released on regular bail.

5. I have considered the aforesaid factual position. Petitioner was arrested in this case and he has already joined investigation.



CRM-M-28283-2025

-3-

Allegations and stand taken by petitioner will be decided during the course of trial. Trial in this case is going on. Challan qua present petitioner was presented on 28.06.2025 and on the arrest of other accused supplementary challan was also presented. Considering the aforesaid factual position, trial may take some time. Petitioner cannot be kept behind the bars for indefinite time period. Therefore, regular bail petition filed by petitioner Harbans Singh is allowed. He is ordered to be released on bail on furnishing bail bonds and surety bonds to the satisfaction of trial Court/Duty Judge concerned.

6. Pending miscellaneous application(s), if any, stand disposed of accordingly as well.

09.10.2025

*lalit***(AMARJOT BHATTI)****JUDGE**

Whether speaking/reasoned:
Whether reportable:

Yes/No
Yes/No