

**IN THE COURT OF SH.B.B.S.TEJI,
SESSIONS JUDGE, BARNALA.**
(U.I.D.No.PB0084)

CNR No.PBBR01-002836-2025
CIS No.BA/1041/2025
Date of Order.....11.07.2025

Sandeep Singh aged about 20 years son of Gola Singh resident of village Gill, Tehsil Bagha Purana, District Moga.

...Applicant/accused

Versus

State of Punjab

Application for bail U/s.483 of BNSS

FIR No.29 dated 11.05.2025
Police Station : Bhadaur
Under Sections : 137(2), 87 of BNS, 2023
(old Sections 363, 366 of IPC)

Present: Ms. Harpreet Kaur, Advocate counsel for applicant/accused
Mrs.Sukhraj Kaur Addl.Public Prosecutor for State.

ORDER

1. This is the first bail application for regular bail U/s.483 of BNSS moved on behalf of applicant in the above noted FIR.
2. Heard, learned counsel for applicant and learned Addl.Public Prosecutor for State and record perused.
3. As per case of prosecution, instant FIR was registered on the statement of complainant T...S... @ S.... on the allegations that he is labourer by profession. He is having three children. His elder daughter G...K..., whose date of birth is 25.12.2008, who was just given her +2

examinations. His daughter after giving her examinations started to attend the computer class at Bhadaur, who likewise daily goes to Bhadaur to attend her computer classes. On 06.05.2025, as usual, his daughter went to attend her computer class at about 11:30 AM at Bhadaur but she did not return back at home. They remained searching their daughter in the relatives but could not trace her. On enquiry, now he has come to know that Sandeep Singh son of Gola Singh resident of Moga has enticed away her daughter on the pretext of solemnizing illegal marriage. On this statement, present FIR was registered against the applicant.

4. Ld.counsel appearing on behalf of applicant contended that the applicant has been falsely implicated in the present FIR. That the FIR has been lodged by father of the victim, whereas in her statement under Section 183 of BNSS, the victim had not supported the version of the prosecution and even she has refused to undergo her medical examination. Furthermore, the protection petition was filed by the applicant and victim before Hon'ble High Court, since the applicant was minor at that point of time, the applicant and victim were directed to appear before CWC, Moga, whereas they had appeared before CWC, Moga and the applicant was arrested from there and there-after, now victim has lodged in Gandhi Vanita Ashram, Jalandhar. That even in statement under Section 183 of BNSS, the victim had got recorded that her date of birth is 25.12.2008 and she wants to marry with the applicant on attaining the age of majority. That the

applicant is in custody since 06.06.2025 and no more required by the police for further investigation. That the conclusion of trial will take time and it shall serve no useful purpose by detaining the applicant behind bars for indefinite period.

5. On the other hand, learned Addl.Public Prosecutor on instructions from ASI Santokh Singh has not controverted the fact that as per record, the protection petition was filed by the applicant and victim before Hon'ble High Court, wherein the applicant and victim were directed to appear before CWC, Moga, whereas they had appeared before CWC, Moga and the applicant was arrested from there. Further, it has not been controverted that in statement under Section 183 of BNSS, the victim had not supported the version of the prosecution and she had further got recorded that she wants to marry with the applicant on attaining the age of majority. That victim has refused to undergo her medical examination. That applicant is in custody since 06.06.2025.

6. After considering the above, the applicant is in custody since 06.06.2025 after his arrest. No useful purpose shall be served by detaining the applicant behind bars for indefinite period as conclusion of trial is likely to take adequate time. Accordingly, the application is allowed and the applicant is admitted to bail on his furnishing bail bonds and surety bonds to the satisfaction of Illaqa Magistrate/Duty Magistrate. Nothing express herein shall have bearing on the merits of the trial.

In view of the judgment dated 31.01.2023 passed by the Hon'ble Supreme Court in SMWP (Criminal) No. 04/2021, copy of this order be sent to the Superintendent of District Jail, Barnala for information.

Bail papers be consigned to record room.

Announced.

Dated:11.07.2025

Amit Steno-II

(B.B.S.Teji)
Sessions Judge, Barnala
(PB0084)