

**IN THE COURT OF VARUN NAGPAL
ADDITIONAL SESSIONS JUDGE, PATIALA
(UID No.PB00204)**

CIS No	SC-134-2020
CNR No.	PBPT010071522020
Date of Institution	26.8.2020
Date of Decision	24.8.2026

S T A T E

Versus

**Gurpreet Singh alias Gopi, aged about 26 years son of Hakam Singh,
resident of Sunder Basti, Patran, District Patiala.**

..... Accused

FIR No. 154, Dated. 01.06.2020

Under Sections 363, 366-A of IPC

Police Station: Patran.

**Present: Sh.Rajinder Pal Singh, Addl.P.P for the State
Accused on bail with Counsel Sh.Sumesh Jain, Advocate.**

JUDGMENT:

The above named accused person namely Gurpreet Singh alias Gopi has been sent up by S.H.O of Police Station Patran, Patiala to face trial for the commission of offences punishable under sections 363, 366-A of IPC. Finding the offence under section 366-A of Indian Penal

Varun Nagpal
ASJ/Patiala
Date : 24.8.2026

Code to be exclusively triable by the Court of Session, the Court of learned Illaqa Magistrate **committed the case to the Court of Session at Patiala vide order dated 26.8.2020** and it was entrusted to this court for trial.

FACTS OF THE PROSECUTION CASE

2. The brief resume of the facts of prosecution case is that on 1.6.2020 SI Teja Singh along with police party was present at Bhagat Singh Chowk, Patran in connection of patrolling and search of bad elements where **complainant Balwinder Singh** son of Baldev Singh resident of Sarabha Nagar, Patran Ward no.11 Patran, District Patiala met him and got recorded his statement to the effect that he is the resident of above stated address and is doing work of Electrician-mechanic and has two children. His elder son is Satnam Singh who is about 17 years old and younger daughter/prosecutrix is aged about 15 years old and she studied in 9th standard at Government Senior Secondary School, Patran but due to lock down she is now a days at home. He further stated that in the month of February 2020, his daughter/prosecutrix had been talking on phone with Gurpreet Singh alias Gopi. The complainant took mobile phone from his daughter and tried to make her understand in this regard. On 30.05.2020, they all watched TV till 12:00 midnight and thereafter they all slept in the Veranda. When the complainant woke up at around 6:30 PM, he found his daughter was not on her bed and was missing.

The complainant told about this to his wife and checked the rooms of the house, but his daughter was not present at home. The complainant also searched his daughter in the neighborhood but did not find her. He has suspicion that the above said Gurpreet Singh had taken his daughter away by inducing her to marry with him. On the basis of the statement of the complainant, FIR was registered in the present case. On the basis of secret information received, the accused Gurpreet Singh was arrested and the prosecutrix was recovered from the custody of accused Gurpreet Singh. The statements of witnesses under Section 161 of Cr.P.C. were recorded. The arrest cum intimation memo of the accused was prepared and his personal search was conducted. The prosecutrix was sent to Gandhi Vanitha Ashram, Jalandhar. After the completion of necessary investigation, the challan of the accused was presented in the Court for trial for the offences punishable under Sections 363, 366-A of the Indian Penal Code.

3. Thereafter, on presentation of challan and appearance of the accused in the court, copies of documents relied upon by the prosecution were supplied to accused free of costs as provided under Section 207 Cr.P.C. Finding the offence under section **366-A of Indian Penal Code** to be exclusively triable by the Court of Session, the Court of learned **Illaqa Magistrate Sh.Amarjeet Singh**, the then, Judicial Magistrate Ist Class,

Samana committed the case to the Court of Session at Patiala vide order dated 26.8.2020 and it was entrusted to this court for trial.

CHARGE FRAMED

4. After hearing learned Additional Public Prosecutor for the State and learned Defence Counsel for the accused, a prima facie case punishable under sections **363, 366 IPC** against accused person was made out to be made. Accused was charge-sheeted accordingly to which, he pleaded not guilty and claimed trial. After that the prosecution evidence was called for.

PROSECUTION WITNESSES

5. In order to prove its case against the accused, prosecution has examined **prosecutrix/victim as PW1**, Complainant **Balwinder Singh as PW2**, **ASI Teja Singh as PW3**, **Mandeep Singh Clerk, Office of Nagar Council Patran as PW4**, Thereafter, learned Addl.P.P for the State closed the prosecution evidence after tendering **sexual fitness report** of accused given by Dr. Gopal Krishan dated 2.6.2020 as **Ex PA**.

STATEMENT U/S 313 CR.P.C.

6. Statement of accused under section 313 of Cr.P.C was recorded, in which all the incriminating material and evidence appearing against him, was put to him. **Accused denied the same and that he has been falsely involved in the present case on false allegations as the victim was having friendly relations with him and this fact came into knowledge**

of her parents and due to this reason, in order to restrain victim they have got lodged this false FIR on him in connivance with the police officials. He further pleaded that he has not taken the victim from her house and victim at her own left the house of her parents and he has no role in leaving the house by victim and false recovery of victim has been shown by the police. Accused opted to lead evidence in defence.

DEFENCE EVIDENCE

7. In defence evidence, accused did not examine any witness and closed the defence evidence.

ARGUEMENTS RAISED

8. Learned Additional Public Prosecutor for the State has argued that the case of the prosecution is duly proved beyond reasonable shadow of doubt as all the necessary and required witnesses have been examined by the prosecution, who have fully supported the prosecution version and the case against the accused has been proved beyond reasonable doubt. It has been duly proved on the part of the prosecution that accused Gurpreet Singh kidnapped minor daughter of complainant from the lawful guardianship of her parents without their consent by alluring the victim with the intent that she may be compelled to marry with said Gurpreet Singh and in order that she may be forced or seduced to illicit inter course with him. Consequently the accused is liable to be punished as per law.

9. On the other hand, the learned defence counsel for accused has vehemently argued that the accused Gurpreet Singh has been falsely implicated in the present case. Prosecution has miserably failed to prove its case by leading cogent, convincing and consistent evidence. There is no evidence on record to prove that the accused had kidnapped the minor daughter of complainant. It has been further argued on the part of the complainant that the accused has not taken the victim from her house and victim at her own left the house of her parents and accused has no role in leaving the house by victim. It has also been argued on the part of the accused that since the victim herself was consenting party and there was no allurement or enticement on the part of the accused in leaving the house by the prosecutrix, so no criminal liability can be slapped upon the accused regarding the kidnapping of the minor. On the strength of these arguments, he has prayed that the accused be acquitted.

10. I have heard learned Additional Public Prosecutor for the State and Ld. Defence Counsel for the accused assisted by Ld. Counsel for the Complainant and have also gone through the file very carefully.

POINTS OF DETERMINATION

11. In order to determine the culpability of the present accused for the aforesaid offences under sections 363 and 366 IPC, allegedly committed by him, the following essential ingredients are required to be proved and ascertained in the present case:-

(A) Whether in the intervening night of 30.5.2020/1.6.2020, in the area of Patran, accused Gurpreet Singh kidnapped daughter of complainant from the lawful guardianship of her parents with the intent that she may be compelled to marry with said Gurpreet Singh against her will and in order that she may be forced or seduced to illicit inter course with him ?

(B) Whether the prosecution has been able to prove its case beyond shadow of reasonable doubt?

PROSECUTION EVIDENCE

VICTIM/PROSECUTRIX

12. In order to prove its case against the accused, at the first inception, prosecution has examined **PW1 victim/prosecutrix** herself who had stated on oath that her date of birth is 02.09.2004 and in the year 2020 she was studying in 8th class when she was introduced to accused Gurpreet Singh who was senior in our school. She further deposed that when she was studying in 9th standard there was imposition of National Lock-down and on the night of 30.05.2020, she had given **sleeping pills to her family members, provided by accused and at about 12 midnight accused Gurpreet Singh came to her house by motorcycle and they both voluntarily left and went to house of elder sister of accused.** She further deposed that accused after dropping her there, went back to his own house in Patran and in the meantime her father lodged a report and on the next day police came to the house of sister of accused along with her parents

and she was taken back. She further deposed that she had lost touch with the accused because of lock-down and they did not know what to do. She further deposed that they committed a mistake and now she wants to stay with her family. She also identified the accused present in the court.

COMPLAINANT/FATHER OF PROSECUTRIX

13. Moving further, prosecution has examined PW-2 complainant Balwinder Singh who has deposed on oath that he has two children out of whom one is son Satnam Singh and one daughter/prosecutrix who is aged about 15 years and was studying in 9th Class in Govt. Sec. School Patran. He further deposed that during lock-down period she was staying at home and in the month of February, they came to know that prosecutrix was talking with accused Gurpreet Singh @ Gopi on mobile phone and they had also take mobile phone from her daughter. He further deposed that on 30.05.2020, they watched TV till 12 midnight and then went to sleep. He further deposed that on the next morning at about 06:00 AM when he woke up, he found that his daughter was not on her bed and then they searched for their daughter but she was not in their house. He further deposed that they also searched outside and in the neighborhood but could not find his daughter/victim and he had suspicion over on accused Gurpreet Singh @ Gopi, that he had allured his daughter and kidnapped her on the pretext of marriage. He further deposed that on 01.06.2020 he alongwith my wife Balbir Kaur were going to police station to inform the

matter and police met them at Bhagat Singh Chowk Patran, where he suffered his **statement Ex.PW2/1** to the police. He identified his signatures on the same. He further deposed that on 02.06.2020 he met the police at New Bus Stand Patran where police had shown him accused Gurpreet Singh and his daughter was recovered from the possession of Gurpreet Singh. He also proved the **Identification memo of Gurpreet Singh and his daughter as Ex.PW2/2**, **recovery memo** of birth certificate and photocopy of **8th class certificate of prosecutrix Ex.PW2/3**. He also identified accused Gurpreet Singh @ Gopi present in the court.

INVESTIGATING OFFICER

14. Further more, prosecution has examined **PW3 ASI Teja Singh** who is the **Investigating Officer** has deposed that on 1.6.2020, he along with Police party were on private Car along with Laptop and printer and were present at Bhagat Singh Chowk, Patran where Balwinder Singh complainant met Police party and got recorded his statement and he recorded **police proceedings Ex.PW3/P1** and sent PHG Birbal Singh to Police Station on the basis of which **FIR Ex.PW3/P2** and **endorsement Ex.PW3/P3** was recorded by ASI Sukhjinder Singh. He further deposed that he along with complainant and Police party reached went to the Place of occurrence and prepared **site plan Ex.PW3/P4** on the demarcation of complainant. He further deposed that on 2.6.2020, he received secret information that accused Gurpreet Singh along with Victim is present at

New Bus Stand Patran near the Gate and is waiting for Bus and if raid is conducted, they can be apprehended. and he informed complainant Balwinder Singh to reach under the bridge of Narwana Bye-pass Patran and he along with Police party reached there where complainant also met them and they went to New Bus Stand Patran where Balwinder Singh complainant identified his daughter Navdeep Kaur and accused Gurpreet Singh and was apprehended and was **arrested vide memo Ex PW3/P5** and memo of **personal search Ex.PW3/P6** was prepared. He also proved Memo regarding **identification as Ex.PW2/2, site plan Ex.PW3/P7**, Memo regarding **recovery of victim Ex.PW3/P8**. He further deposed that accused and victim produced before learned SDJM, Samana but the statement u/s 164 Cr.P.C. was not got recorded by learned SDJM, Samana due to Covid and Victim orally stated that she does not want to go with her parents and she does not want to get herself medically examined and learned SDJM ordered to produce Victim and accused on 5.6.2020 after getting conducted their covid test along with report. He further deposed that he went to CHC Patran and **moved applications Ex.PW3/P8 and Ex.PW3/P9** for getting conducted the medical of victim Navdeep Kaur and accused Gurpreet Singh and Doctor made their endorsements on the said applications. He further deposed that on 4.6.2020, complainant Balwinder Singh produced certificate of victim Navdeep Kaur regarding date of **birth certificate of victim** which was taken into police possession

vide memo **Ex.PW2/3** and on 5.6.2020, accused and victim were produced before learned SDJM, Samana and victim was ordered to be sent to Gandhi Vanita Ashram, Jalandhar and on 19.6.201 **application Ex.PW3/P10** for verification of certificate of victim from Registrar Death and birth and obtained the verification report of the same. Statements of witnesses were recorded. After completion of investigation, the challan of the present case was prepared by S.I. Gurdev Singh. He further deposed that he can identify the accused if produced before him.

MANDEEP SINGH (DATE OF BIRTH OF PROSECUTRIX)

15. Lastly, prosecution has examined PW4 Mandeep Singh, Clerk posted at Nagar Council, Patran and he produced the summoned record from the Municipal/Nagar Council i.e. birth register and deposed that as per record the date of birth of victim is 2.9.2004 and tendered attested copy of relevant **extract of register as Ex PW4/P1 and verification report Ex PW4/P2.**

DISCUSSION, APPRECIATION AND REASONS THEREOF

16. At the very outset accused Gurpreet Singh has been charge sheeted U/s 363, 366 IPC for kidnapping minor daughter of complainant from the lawful guardianship of her parents without their consent with the intent that she may be compelled to marry with said Gurpreet Singh against her will and in order that she may be forced or seduced to illicit

inter course with him.

17. In order to connect the accused with the kidnapping of victim/prosecutrix, prosecution has firstly relied upon the testimony of victim herself examined as PW1, whereby she has categorically stated that her date of birth is 2.9.2004 and on 30.5.2020 **she had given sleeping pills to the family members provided by the accused and at about midnight, accused Gurpreet Singh came to her house and they both voluntarily left** and went to house of elder sister of accused and accused after dropping the victim there, went back to his house in Patran. In the meantime, her father lodged a report and on the next date, police came to house of sister of accused and she was taken back. It has been further submitted on the part of victim that they committed a mistake and she identifies the accused present in the court.

18. Further, in order to support the case of prosecution and in order to corroborate the version of the prosecutrix, the reliance has been placed on the testimony of **PW2 Balwinder Singh** who is the complainant of this case and father of victim/prosecutrix who has categorically supported the version of the prosecution by deposing on oath that accused **Gurpreet Singh had allured her daughter and kidnapped her on the pretext of marriage and on 2.6.2020 her daughter was recovered from the possession of accused Gurpreet Singh** and in this regard, identification memo of Gurpreet Singh and her daughter has been proved on record as

Ex. PW2/2 and the recovery of prosecutrix has been effected from the accused Gurpreet Singh vide memo **Ex.PW3/P8**. In the light of evidence, so led on record, it has been categorically argued on the part of the prosecution that from the evidence led on record prosecution has been successful in proving on record that accused Gurpreet Singh had kidnapped the minor daughter of complainant by enticing her from the lawful custody of her parents without their consent on the pretext of marriage. It has been further argued on the part of the prosecution that date of birth of victim has been duly proved on record as 02.09.2024 meaning thereby that she was minor at the time of kidnapping by the accused. Hence it has been argued that the accused is very much liable for the kidnapping of minor daughter of the complainant.

19. On the other hand, the version of the prosecution has been strongly resisted by the ld. Counsel for the accused on the ground that the criminal liability regarding the kidnapping of prosecutrix cannot be slapped upon the accused as the accused has not taken the victim from her house and victim had at her own left the house of her parents and he has no role in leaving the house by victim and false recovery of victim has been planted upon the accused. Further it has been argued on the part of the accused that there was no allurement and enticement and no active role of the accused in leaving minor the house of her parents. It has also been argued that the statement of victim with regard to the factum of

giving sleeping pills by the accused can not be taken into consideration, the same being the improved version just to support the case of the prosecution. Under these circumstances, it has been prayed that accused is liable to be acquitted as no offence of kidnapping is made out against the accused.

20. In the light of facts and circumstances of the case as discussed and in the arena of evidence led on record, it is not a disputed fact that the victim was minor at the time of kidnapping by the accused. More so, even the accused did not dispute the age of minor prosecutrix. Even other wise, from the testimony of PW4 Mandeep Singh from Nagar/Municipal Council, Patran has produced on record municipal record regarding the date of birth of the prosecutrix and vide report PW4/P2 the date of birth of victim has been duly proved on record as 02.09.04, meaning thereby at the time of the kidnapping, prosecutrix did not attain the age of majority and she was minor at that time. In the light of allegations so raised against the accused it would be appropriate to take the recourse to Section 361 IPC, which provides that **"Whoever takes or entices any minor under sixteen years of age if a male, or under eighteen years of age if a female, or any person of unsound mind, out of the keeping of the lawful guardian of such minor or person of unsound mind, without the consent of such guardian, is said to kidnap such minor or person from lawful guardianship"**

21. In the light of bare provision as stated above, it is apparently clear that kidnapping is a criminal offence that violates an individual's Fundamental Right to Life and Liberty enshrined under Article 21 of the [Constitution of India, 1950](#) and it is prima facie an offence qua the guardianship of parents of the minor and not against the person of minor herself. Consent of minor is generally not a defence to kidnapping and minor's consent does not substitute for guardian's consent. Accordingly, in order to complete the offence of kidnapping following are the essential ingredients:

(a) Taking Away or enticing- Kidnapping involves either physically taking away or enticing the minor away from the lawful guardianship of lawful guardian.

(b) Without consent- The action must be done without the consent of the lawful guardian.

22. In the light of facts and circumstances as discussed above and in the light of bare provision, in order to make the accused Gurpreet Singh liable for the offence of kidnapping, it was incumbent upon the prosecution to prove on record that accused Gurpreet Singh had enticed away or allured or taken away the minor prosecutrix without the consent of lawful guardian/parents of minor prosecutrix and in order to discard the version of the prosecution, Ld. Counsel for the accused has submitted that accused has not taken the victim from her house and victim had at her

own left the house of her parents and he has no role in leaving the house by victim and false recovery of victim has been planted upon the accused. Further it has been argued on the part of the accused that there was no allurements and enticement and no active role of the accused in leaving minor the house of her parents. The arguments so put forth on the part of the accused stands itself negated from the bare testimony of the prosecutrix herself who has categorically submitted that her date of birth is 2.9.2004 and on 30.5.2020 **she had given sleeping pills to the family members provided by the accused and at about midnight, accused Gurpreet Singh came to her house and they both voluntarily left** and went to house of elder sister of accused and accused after dropping the victim there, went back to his house in Patran. The testimony of the victim herself is sufficient to bring on record that the accused Gurpreet Singh had played an active role in leaving the house of her parents by the minor victim with the accused as the accused Gurpreet Singh himself had given the sleeping pills to the prosecutrix for being given to the family members to facilitate the taking of prosecutrix from the lawful custody of her parents and came to the house of victim in the middle of night to take her away. The giving of sleeping pills to the prosecutrix for being given to her family members and coming to the house of victim in the middle of night to take her away and thereafter recovery of victim from the custody of accused after two days, is a matter of grave concern and certainly comes

with in the domain of enticement and allurement on the part of the accused. The contention so raised by Id. Counsel for the accused that the version regarding the giving the sleeping pills by the accused, is an improved version as this fact was not stated by the victim in her earlier statement recorded by the police u/s 161 Cr.P.C does not seems to be convincing at all. It can not be said to be a material improvement on the part of the victim as the factum of giving of sleeping pills has been duly mentioned in the statement u/s 161 Cr.P.C. When the factum of giving of sleeping pills and coming of the accused to the house of victim in the middle of night to take her away has been duly mentioned in the statement u/s 161 Cr.P.C., then under these circumstances, the non mentioning of source of sleeping pills can not be said to material improvement. Persuasion by accused to flee the victim in the middle of the night from her house by giving the sleeping pills for the purpose of creating willingness on part of minor to leave the house of lawful guardian is sufficiently amounts to taking or enticing on the part of the accused and further from the testimony of the father of prosecutrix, it is apparently clear that accused Gurpreet Singh had taken and enticed the minor daughter of the complainant without the consent of her parents on the pretext of marriage. Taking the minor with himself in the middle of the night and thereafter the recovery of minor from the custody of accused after two days, itself sufficient to prove on record the enticing away of the

minor on the part of the accused. The situation would have been otherwise, if the victim in any manner did not mention the fact of sleeping pills in her statement u/s 161 Cr.PC. and she had introduced this fact first time in her statement recorded before the court. So in the arena of discussion made above, the contention so raised with regard to the improvement in the statement of victim does not come to the rescue of the accused.

23. In the factual backdrop of this case and in the arena of evidence led on record as discussed above, the reference can be made to the landmark judgment of case titled as [S. Varadarajan vs State of Kerala \(1965\) 1 SCR 243, wherein](#), it was inter alia held as under :

"... After pointing out that there is an essential distinction between the words "taking" and "enticing" it was no doubt observed that the mental attitude of the minor is not of relevance in the case of taking and that the word "take" means to cause to go, to escort or to get into possession. But these observations have to be understood in the context of the facts found [in that case](#). For, it had been found that the minor girl whom the accused was charged with having kidnapped had been persuaded by the accused when she had gone out of her house for answering the call of nature, to go along with him and was taken by him to another village and kept in his uncle's house until she was restored back to her father by the uncle later. Thus, here there was an element of persuasion by the accused person by the accused person which brought about the willingness of the girl and

this makes all the difference. In our opinion, therefore, neither of these decision is of assistance to the State." On the basis of judgment of the Hon'ble the Apex Court, it can safely be concluded that if the minor leaves her home completely uninfluenced by any promise, offer or inducement emanating from the guilty party, then the latter cannot be considered to have committed the offence as defined in [section 361](#) IPC. However, if there is any inducement, allurement or threat and if this has influenced the minor in leaving her guardian's custody or keeping and going with the accused persons, then it would come within the purview of offence." The facts of the case law (supra) clearly comes in consonance with the facts of the present case as it has been duly established on the part of the prosecution that accused had taken the the minor victim with himself in the middle of the night after giving the sleeping pills to the family of the minor victim and thereafter the recovery of minor from the custody of accused after two days, itself sufficient to prove on record the enticing away of the minor on the part of the accused.

24. Per Contra, so far as case law relied upon by the accused titled as **Dalip Kumar vs State of Uttaranchal 2025 Law Herald Org 539**, is concerned the same is distinguishable from the facts of the present case as in the above cited case law, there was a dispute regarding the age of the victim and in the absence of contrary evidence, it was held that the possibility of the prosecutrix being of 18 years of age can not entirely be

ruled out. However in the present case, there is no dispute with regard to the age of the prosecutrix and it has been duly proved on record that she was minor at the time of kidnapping by the accused. Consequently, the authority (supra) so relied upon by Ld. Counsel for the accused does not find any favour for the accused.

25. Moving further, Ld. Counsel for the accused has submitted that the accused has been falsely implicated in the present case and recovery of the minor victim has been planted upon the accused. From the evidence led on record, it has come on record that the minor prosecutrix has been duly recovered from the possession of the accused and in this regard the memo has been duly proved on record as **Ex.PW3/P8**. No evidence has been led on record by the accused to discard the recovery of victim from the possession of the accused. No evidence has come on record on the part of the accused to show that he was not with the minor victim at the relevant time and place from where the recovery has been shown on the part of the accused. Not even a single witness has been examined by the accused in support of his plea by the accused. If the accused would have been falsely implicated by the investigating officer or by the complainant, he must have taken some action against the investigating officer by approaching the higher police officials or by filing the private complaint. But no such action has been taken by the accused. It is not expected from any prudent person that despite being falsely

implicated he will kept mum for so many years without taking any action against the investigating officer or against the complainant. Even no previous enmity has been alleged on the part of the investigating officer for which the accused might have been challaned wrongly in the present FIR. Had the accused been roped in wrongly, he would not have kept quite with the sword of conviction hanging over his head. His inaction and silence and the facts and circumstances of the case as discussed above goes to show that plea of false implication does not come out to be having any merit and does not seem to be convincing at all.

26. Consequently, in the arena of discussion made above and in the arena of evidence led on record, the prosecution has been successful in proving on record the case against the accused. The necessary ingredients for the offence of kidnapping stands completed and offence of kidnapping has been duly established against the accused beyond reasonable doubt. From the evidence led on record, it has been duly proved on record beyond reasonable doubt that in the intervening night of 30.5.2020/1.6.2020, in the area of Patran, accused Gurpreet Singh kidnapped minor daughter of complainant from the lawful guardianship of her parents with the intent that she may be compelled to marry with said Gurpreet Singh against her will and in order that she may be forced or seduced to illicit inter course with him. Accordingly the accused stands convicted u/s 363 and 366 IPC. The point of determination so formulated

is answered in favour of the prosecution and against the accused. Accused who is on bail be taken into custody. Let accused Gurpreet Singh who is in custody be heard on quantum of sentence.

Announced.
24.8.2026

(Varun Nagpal),
Additional Sessions Judge,
Patiala. (UID No.PB00204)

QUANTUM OF SENTENCE

Present: Sh.Rajinder Pal Singh, Addl.P.P for the
Convict in custody, represented by Sh.Sumesh Jain,
Advocate

I have heard the convict as well as learned defence counsel and learned Additional PP for the State on the point of sentence. In the light of nature of offence so committed by the convict, it has been argued on the part of the State that the maximum punishment must be awarded to the accused and no ground is made out for any leniency towards the accused. On the other hand, it is pleaded by the convict Gurpreet Singh that he is sole bread winner of the family. He has a family to look after. He belongs to good family with no past criminal antecedents and prayed that a lenient view may be taken and the convict may kindly be released on probation. The allegations of kidnapping the minor daughter of complainant have been duly proved against the accused. The instances of

kidnapping the minor children are on alarming rise and it has been disturbing the entire social fabric of the society. Such like incidents should be dealt with stern hand. Taking into consideration the nature of offence committed by the convict, no lenient view can be taken in terms of the prayer of the convict and the request of convict to release him on probation is hereby declined. The convict, is sentenced as under :-

Sr. No.	Name of Convict	Under Section	Sentence
1.	Gurpreet Singh alias Gopi, son of Hakam Singh	363 IPC	Sentenced to under go rigorous imprisonment for a period of Four years (4 years) along with fine of Rs.10,000/- (Ten Thousand) and in default of payment of fine Rigorous Imprisonment for 6 months.
		366 IPC	Sentenced to under go rigorous imprisonment for a period of Four years (4 years) along with fine of Rs.10,000/- (Ten Thousand) and in default of payment of fine Rigorous Imprisonment for 6 months.

Both the sentences shall run **concurrently**. The period of detention of convict during investigation and trial of this case shall be set off towards substantive sentence awarded to him.

The case property be disposed off as per rules after the expiry of period of appeal or revision, if any and subject to its result.

Convict Gurpreet Singh alongwith requisite conviction warrant be sent to jail authorities for undergoing the sentence awarded by the court.

Bail bonds and Surety bonds stands discharged.

Reader is directed to delete the entry of the surety from the CIS system.

Necessary intimation be also sent to concerned Tehsildar to delete the entry regarding the surety from the revenue record.

The copy of judgment be supplied to convict immediately free of costs.

The file be consigned to the record room after due compliance.

**Pronounced in open court.
24.8.2026**

**(Varun Nagpal),
Additional Sessions Judge,
Patiala. (UID No.PB00204)**

M.Khosla

(Directly dictated on computer)

CIS No	SC-134-2020
CNR No.	PBPT010071522020

State Vs Gurpreet Singh

Present: Sh.Rajinder Pal Singh, Addl.P.P for the State
Accused on bail with Counsel Sh.Sumesh Jain, Advocate

Accused Gurpreet Singh closed his defence evidence.

Arguments heard. Vide separate judgment of today, the accused has been convicted and sentenced for the charges framed against him as stated therein. File be consigned to the record room.

Pronounced in open court.
24.8.2026

(Varun Nagpal),
Additional Sessions Judge,
Patiala. (UID No.PB00204)

M.Khosla