

**In The Court Of Shri K. K. Jain, Addl. Sessions Judge/ Judge, Special Court, FARIDKOT. (UID No.PB0163)**

**Kanwarjit Singh @ Kauri**

**Vs. State of Punjab**

**CIS No: BA/2078/2025**

**CNR No. PBFD010060272025**

Present: Sh. Sarnam Singh Sandhu, Advocate for accused/  
applicant.  
Sh. Gurinder Singh, Ld. APP for the State.

**First Bail Application u/s 482 of BNSS, 2023**

**ORDER**

1. Heard on the bail application filed on behalf of applicant(s)/accused u/s 482 of BNSS for anticipatory bail, in case/FIR no. 121 dt. 27.06.2021, under section 377,34 IPC and Section 6, 17 of POCSO Act, PS Sadar Faridkot, whereby it is submitted that the present FIR was registered against the applicant, his son Manpreet Singh and two other persons namely Kulwant Singh and Major Singh by concocting a false story. It has been further submitted that during the course of investigation, police found the allegations to be false and filed cancellation report before the Ld Sessions Judge. However Ld Sessions Judge took cognizance of the matter under section 190(1)(b) CrPC and notices were issued to the accused/ applicants and co-accused. However, prior to that the petitioner had gone to Canada under an impression that he had been found innocent by the police. Thereafter non bailable warrants of accused/ applicant were issued which were received back unserved, resulting to the issuance of proclamation for 23.01.2024 and after declaring the proclaimed offender trail was commenced. It has been further submitted that thereafter applicant/ accused after becoming conversant to the fact that he has been declared PO went to the Hon'ble High Court for setting aside the proceedings under section 82 CrPC issued against him, wherein the Hon'ble High Court has quashed the order of the court on 23.09.2025. Hence, prayer is made for allowing the application.

2. Upon notice Ld. Addl. PP put in appearance on behalf of State and although reply to the application is not intended to be filed by the State but the said petition is hotly contested by the Ld. Addl. PP for the State and accordingly, request is made for dismissal of the present bail application.

3. Brief facts of the present case as emanating from the record are that the instant FIR was registered on the statement/ complaint of Manjot Singh whereby he submitted that on 21.06.2021, he was kidnapped by Manpreet Singh, Major Singh, Kulwant Singh and Kanwarjeet Singh, who took him to a distant place in Rajsthan, where all of them committed carnal sexual intercourse with him. When recovered, the child victim was subjected to a medical examination on 26.6.2021. He gave history of sexual assault to the doctor by stating that he was taken by four known people in a van to Bikaner, Rajsthan and was sexually assaulted by two men from the same group. He was rescued after four days by some local truck drivers and was brought back to his parents. Medical examination reveals that the child complained of pain while defecation. Hence, the present FIR was registered.

4. The main contention of ld. defence counsel is that accused has been falsely implicated in the present case. He further argued that even in his statement recorded before the court, the victim of the present case has not levelled any allegation against the accused. Accordingly request is made for allowing the bail application.

5. The said contentions of ld defence counsel are controverted by the Ld. APP for the State and it is argued by him that the present accused earlier absconded trial and he was declared proclaimed offender by the then ld. Sessions Judge, Faridkot vide order dated 23.01.2024. He further submitted that although the said order dated 23.01.2024 vide which the present accused was declared proclaimed offender has been set aside by the Hon'ble High Court but the fact remains that the present accused avoided the process of law for more than 4 years despite the fact that his own son Manpreet Singh was facing trial in the aforesaid FIR. He

further argued that even in his statement the victim has levelled categorical allegations against the present accused also whereby he has specifically stated that after the incident in question the victim told about the same to the present accused but he threatened the victim and thereby the present accused connived with his co-accused. Accordingly, request is made for dismissing the bail application.

6. After considering the rival contentions of both the parties and after going through the record carefully, this Court is convinced with the submissions of Id. APP for the State at this stage for the reasons to be recorded hereinafter.

7. In the present case, from the perusal of the record, it transpires that the Hon'ble High court vide order dated 23.09.2025 passed in CRM-M-53806-2025(O&M) has quashed the order dated 23.01.2024 passed by the then Ld. Sessions Judge, Faridkot in the present case bearing FIR no. 121 dt. 27.06.2021, under section 377, 34 IPC and Section 6,17 of POCSO Act, PS Sadar Faridkot and while disposing of the aforesaid CRM the Hon'ble High Court has ordered as under:-

*“.....10. However, the petitioner is directed to surrender before the Court concerned within a period of four weeks, subject to order for grant of anticipatory bail, if any passed on his petition to be filed under Section 482 of BNSS. In the absence of any order for grant of anticipatory bail and on such surrender, the petitioner shall be liable to be remanded to judicial custody subject to any order for grant of regular bail to be passed by the concerned Court in accordance with law.*

*11. Needless to observe that in case any application is filed before the concerned Court for grant of regular bail, then the concerned Court shall be bound to dispose of the same expeditiously and that nothing in this order shall be treated as expression of any opinion on merits so as to bind or influence the concerned Court in disposal of the same.*

*12. Till the appearance of the petitioner before the learned trial Court, his arrest shall remain stayed.*

*13. It is made clear that in case the petitioner fails to appear before the learned trial Court within the stipulated time, this petition shall be deemed! to be dismissed.”*

8. Despite the aforesaid order passed by the Hon'ble High Court, the applicant/ accused instead of surrendering himself before this court has filed the present application for anticipatory bail. It seems that the accused/ applicant has no regard for the orders passed by the Hon'ble High Court. Furthermore, from perusal of the record, it is evident that serious allegations are there against the present accused. Accordingly, Keeping in view all the facts of the case and nature of allegations being there against the present accused, this Court is of the opinion that the accused is not entitled to discretionary releif of anticipatory bail. In view of the aforesaid discussion, **the present bail application of the applicant(s)-accused is hereby dismissed.**

9. However, anything observed by this Court while deciding the present bail application will not be construed as any expression of opinion on the merits of the main case. Paper of the bail application be consigned to Record Room.

**Pronounced in Open Court:**

**Dated:16.10.2025**

**Madhu bala**

**(Krishan Kant Jain)**

**Addl. Sessions Judge**

**Faridkot/(UID:PB0163)**