

**IN THE COURT OF BISHAN SAROOP,
ADDITIONAL SESSIONS JUDGE,
MOGA (UID No.PB0449).**

CNR No.PBMO010044352026
CIS Filing No.BA/1800/2026
Date of Order : 01.07.2026

State

Versus

Tumraj Singh son of Givraj Singh resident of village Dhalle Ke, Tehsil and District Moga.

---Accused-applicant

FIR No.33 dated 18.02.2026,
Under Sections:- 64, 331, 3 (5) BNS Act
and Section 6 of POCSO Act, 2012
Police Station :- Sadar Moga

Bail Application under Section 483 of B.N.S.S.

Present :- Sh. SPS Kaler Advocate, for accused-applicant.
Ms. Gunwantjit Manesh Addl. Public Prosecutor for State

ORDER

1. Vide this order, I shall dispose of second application for bail, particulars of which are giving herein above, preferred under Section 483 of the B.N.S.S. Act, by aforesaid accused/applicant.

2) Brief facts of the present case are that present FIR has been lodged on the basis of statement of complainant Gurpreet Singh son of Gurdial Singh wherein he has stated that he is mason by profession. He is married with Prabhjot Kaur daughter of Surinder Singh and out of their wedlock, three children i.e. two daughters and one son were born. The date of birth of his elder daughter (name of victim withheld) is 01.07.2011 and she is studying in Mata Damodri Khalsa Girls School village Daroli Bhai. On 17.02.2026, at about 3.30 AM, he woke up and saw that light of room of his daughter (victim) was off and one person was sitting on the chair and upon his asking said person has disclosed that he has accompanied with

Pargat Singh and Pargat Singh in inside the house. Thereafter, he has knocked the door of his daughter (victim) which was bolted from the inside and he after breaking the glass of window entered in the room and saw that Pargat Singh has caught hold his minor daughter (victim) and when he tried to rescue his daughter, then Pargat Singh and person sitting outside started scuffling with him. Thereafter, he has bolted the room from the outside and called his neighbours namely Jagtar Singh son of Mehanga Singh. Thereafter, he opened the door and they gave beatings to each other. Then they gave a call on 112 number and police reached at the spot. Later on, his daughter (victim) disclosed him that Pargat Singh has forcibly committed rape upon her. Pargat Singh has spoiled the life of his daughter (victim). The friend of Pargat Singh resident of Daroli Bhai has also helped Pargat Singh in the said commission of offence. On the basis of statement of complainant, present case FIR was registered against the accused/applicant and other co-accused Pargat Singh. Applicant-accused was arrested in this case on 18.02.2026.

3. I have heard learned counsel for applicant-accused as well as learned Additional Public Prosecutor for the State and have gone through the record.

4. Perusal of file goes to show that co-accused Pargat Singh had forcibly committed rape upon minor daughter of complainant (victim) without her consent by committing the house trespass and at that time, accused/applicant has also helped the co-accused Pargat Singh in the commission of crime by standing outside the room. Perusal of record also goes to show that most material witness of the prosecution i.e. PW-1 victim, PW-2 complainant Gurpreet Singh, PW-3 Jagtar Singh as well as PW-4 Prabhjot Kaur (mother of victim) while appearing in the witness box did not support the case of the prosecution and turned hostile by stating that they did not identify the accused persons present in the court. Accused/applicant is in custody since 18.02.2026. As such, keeping in view of the facts and circumstances of the present case and the fact that accused/applicant is in custody since the date of arrest and it will take considerable time for conclusion of trial. I am of the view that in given circumstances, no useful

purpose is going to be served by keeping the accused/applicant in custody for longer period. As such, the accused/ applicant is ordered to be released on bail on furnishing his bail bonds and surety bonds to the tune of Rs.50,000/- with one surety in the like amount to the satisfaction of this court subject to the following conditions:

1. That the applicant will not tamper with the prosecution evidence.
 2. That the applicant will appear before the Court on each and every date of hearing.
 3. That the applicant will not leave country without prior permission of court.
5. It is further made clear that in case of any violation thereof, this order shall cease to have effect qua the same. Papers be attached with main file.

Pronounced.
Dated :- 01.07.2026
Sunny Stenographer-II

(Bishan Saroop)
Additional Sessions Judge,
Moga (UID No.PB0449).

State Vs. Tumraj Singh BA 1800 of 2026

Present :- Sh. SPS Kaler Advocate, for accused-applicant.
Ms. Gunwantjit Manesh Addl. Public Prosecutor for State

Record received. Arguments heard. Vide my separate order of even date, the present bail application stands allowed for the reasons stated therein. Papers be attached with main file.

Pronounced.
Dated :- 01.07.2026
Sunny Stenographer-II

(Bishan Saroop)
Additional Sessions Judge,
Moga (UID No.PB0449).