



CNR NO: PHHC011039202026
2026:PHHC:100050



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

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Diljit Singh @ Diljeet Singh

....Petitioner

V/s

State of Punjab

....Respondent

Date of decision: 21.07.2026

Date of Uploading : 21.07.2026

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

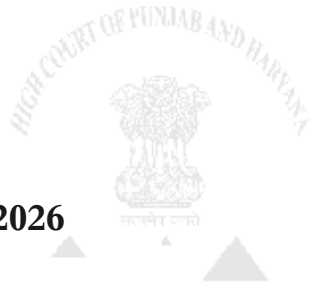
Present: Mr. Inder Preet Singh, Advocate for the petitioner.

Mr. Adhiraj Singh Thind, AAG Punjab.

SUMEET GOEL, J. (Oral)

1. Present petition has been filed under Section 482 of BNSS, 2023 seeking grant of regular bail to the petitioner in case bearing FIR No.22 dated 16.02.2025, registered for the offences punishable under Sections 6 of POCSO Act and Section 127(2), 351(2) of BNS, 2023 at Police Station Banur, District Patiala.

2. The prosecution case, as set-out in the petition in hand, is that the victim, a minor child, was allegedly subjected to sexual assault by the petitioner. It has been alleged that the petitioner had enticed the victim to accompany him to a secluded place on a false pretext and thereafter committed sexual assault upon him. Thereafter, the victim was allegedly threatened with dire consequences in case he disclosed the incident to anyone. Due to fear and intimidation, the victim remained silent for some time. Subsequently, the matter was disclosed to the complainant which led to the registration of the FIR in question. During the course of investigation,



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the victim was medically examined, his statement was recorded before the competent authority and other evidence was collected. After completion of investigation, challan was presented before the competent Court of jurisdiction.

3. Learned counsel for the petitioner has iterated that the petitioner has no connection with the alleged allegations levelled in the instant case and he has been falsely implicated into the FIR in question. Learned counsel has further iterated that the medical evidence does not support the case of the prosecution inasmuch as the same does not reflect any penetrative assault. According to learned counsel, the medical evidence does not corroborate the allegations levelled in the FIR and, therefore, the prosecution version is highly doubtful. It has been further submitted that the entire prosecution story is concocted and no corroborative evidence exists to connect the petitioner with the alleged offence. It has been further contended that the petitioner has been in custody for a considerable period i.e. 16.02.2025 and the challan has already been presented before the competent Court of jurisdiction on 05.05.2025. Out of 25 prosecution witnesses, 14 stands examined including the victim, complainant and the medical evidence & witnesses and hence the apprehension of influencing the material witnesses stands substantially allayed. It has been further contended that the continued incarceration of the petitioner, in the absence of any substantive evidence, would serve no purpose in the factual *milieu* of the case in hand. Furthermore, the petitioner shall undertake to abide by all condition(s) that may be imposed by this Court, including not tampering with the prosecution evidence or influencing witnesses and not leaving the country without prior permission of the Court, in case he is enlarged on



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regular bail. On the strength of aforesaid submissions, the grant of regular bail is entreated for.

4. Learned State counsel has opposed the present petition by arguing that the allegations raised against the petitioner are grave and serious in nature. Learned State counsel has iterated that the victim is a minor child and the offence alleged is of a heinous in nature. According to learned State counsel, the petitioner has been specifically named in the FIR and throughout the investigation the role attributed to him has remained consistent. It has been contended that the victim has already appeared before the trial Court and has fully supported the prosecution case. Accordingly, the dismissal of the instant petition is prayed for.

5. I have heard counsel for the rival parties and have gone through the available records of the case.

6. Before dwelling into the matter at hand, this Court likes to point out that while considering matters involving sexual offences, a Court has to be mindful that the incidents of sexual violence against the minor child in a society is not only grave but the future of the victim has been lowered and shattered into pieces. Once a victim being a minor child has been hurt physically, emotionally and mentally at a tender age, the same is bound to have adverse effects on the overall growth and development of the said human being. It is, thus in the interest of justice and of course the overall interest of the Society at large that proceedings are handled with due care and precaution, especially when the Court is dealing with an application for releasing the accused on bail.

7. As per the material available on record, indubitably serious allegations have been levelled against the petitioner which pertains to the



commission of sexual assault upon a minor child. As per the allegations, the petitioner enticed the victim to accompany him to a secluded place and thereafter committed the alleged offence. The plea raised on behalf of the petitioner that the medical evidence does not support the prosecution case inasmuch as the same does not reflect penetrative assault does not persuade this Court as the same cannot be made the sole basis for the grant of bail at this stage. A significant factor which weighs with this Court is that the victim has already been examined before the learned trial Court and he has supported the case of the prosecution. The victim has specifically attributed the commission of the offence to the petitioner and has remained consistent regarding the manner of occurrence. The testimony of the victim constitutes substantive evidence and carries substantial evidentiary value at this stage. The contention raised by the petitioner regarding absence of any penetrative assault and the effect of such medical evidence upon the prosecution case, are matters which require detailed appreciation during the course of trial. The nature of allegations, the age of the victim, the specific role attributed to the petitioner and the testimony of the victim supporting the prosecution case *prima facie* indicate the involvement of the petitioner in the alleged offence. The allegations relate to a sexual offence against a child, if proved, carries severe punishment under law.

8. The allegations against the petitioner are grave and the statement of the victim further corroborates the case of the prosecution at this stage. Accordingly, this Court is of the considered opinion that the petitioner does not deserve the concession of regular bail. The petition is, thus, devoid of merits and is hereby dismissed.



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9. Any observations made and/or submissions noted hereinabove shall not have any effect on merits of the case and the investigating agency as also the trial Court shall proceed further, in accordance with law, without being influenced with this order.

10. Pending application(s), if any, shall also stand disposed of.

(SUMEET GOEL)
JUDGE

July 21, 2026

Ajay

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No