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

**CRM-M-15385-2025
Date of decision: 19.05.2025**

**SOMA SINGH ALIAS AKASHDEEP SINGH ALIAS SOMA SINGH
GILL**

...Petitioner(s)

VERSUS

STATE OF PUNJAB AND ANOTHER

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present:- Mr. P. K. S. Phoolka, Advocate
for the petitioner.

Mr. Gaurav Gurcharan Singh Rai, Senior DAG, Punjab.

JASGURPREET SINGH PURI, J. (Oral)

1. The present petition has been filed under Section 483 of the BNSS, 2023 for the grant of regular bail to the petitioner in FIR No.39 dated 28.08.2024, under Sections 137(2) and 96 of BNS, 2023, registered at Police Station Nandgarh, District Bathinda, Punjab.
2. Status report dated 17.05.2025 has been filed by way of an affidavit of Deputy Superintendent of Police (Rural), Bathinda, District Bathinda in the Court today by the learned State counsel and the same is taken on record.
3. A copy of the aforesaid status report has already been supplied to the learned counsel for the petitioner, who has stated that he has gone through the same.



4. Learned counsel for the petitioner submitted that the petitioner is in custody for 8 months and 18 days and charges have been framed by the learned trial Court but none of the prosecution witnesses has been examined till date. He further submitted that as per the allegations contained in the FIR, the daughter of the complainant was of the age of about 16 years and she was to be married to somebody else by her parents but she had gone alongwith the present petitioner to his maternal aunt's house and rather in her statement recorded before the learned Judicial Magistrate 1st Class, Bathinda under Section 183 of BNSS, 2023, she stated that she wanted to marry the present petitioner and when they both had gone to the house of the maternal aunt of the petitioner, no wrongful act was committed by the petitioner with her and in fact, she slept with the maternal aunt of the petitioner. He also submitted that considering the aforesaid facts and circumstances of the present case and the custody of the petitioner, he may be considered for the grant of regular bail.

5. On the other hand, Mr. Gaurav Gurcharan Singh Rai, Senior DAG, Punjab submitted that it is correct that the petitioner is in custody for 8 months and 18 days and the investigation of the case has been completed and thereafter, challan has been presented before the competent Court. While referring to the statement of the victim recorded before the learned Judicial Magistrate 1st Class, Bathinda under Section 183 of BNSS, 2023, which has been annexed alongwith the aforesaid status report as Annexure R-1/T, he submitted that the victim has specifically stated that no wrongful act was committed upon her by the petitioner.

6. I have heard the learned counsels for the parties.



7. It is a case where the petitioner is in custody for 8 months and 18 days and charges have been framed by the learned trial Court but none of the prosecution witnesses has been examined till date. Reference has been made to the statement of the victim recorded before the learned Judicial Magistrate 1st Class, Bathinda under Section 183 of BNSS, 2023, wherein she stated that no wrongful act was committed upon her by the petitioner. Furthermore, it is not the case of the learned State counsel that in case the petitioner is released on bail, then he may influence any witness or may tamper with evidence or may flee from justice.

8. Therefore, considering the aforesaid totality and circumstances of the present case, this Court deems it fit and proper to grant regular bail to the petitioner.

9. Consequently, the present petition is allowed. The petitioner shall be released on regular bail, if not required in any other case, subject to furnishing bail bonds/surety bonds to the satisfaction of the learned trial Court/Duty Magistrate concerned.

10. However, anything observed hereinabove shall not be treated as an expression of opinion on the merits of the case and is meant for the purpose of deciding the present petition only.

(JASGURPREET SINGH PURI)
JUDGE

19.05.2025
Chetan Thakur

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No