



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

CRM-M-23161-2025 (O&M)

Date of Decision:06.05.2025

Kuldeep Khan

.....Petitioner

versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

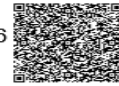
Present:- Mr. Amjad Khan, Advocate for the petitioner.

Mr. Chanchal K. Singla, Addl. A.G. Punjab.

JASGURPREET SINGH PURI J.(Oral)

1. The present petition has been filed under Section 483 of BNSS, for grant of regular bail to the petitioner in case bearing FIR No.0063 dated 10.09.2024 under Sections 69, 351(2) of BNS (Section 64 (2) (m) of BNS added later on) registered at Police Station Cheema, Sangrur.

2. Learned counsel appearing on behalf of the petitioner submitted that the allegations against the petitioner are that under the pretext of a false promise of marriage, he developed a physical relationship with the complainant. He further submitted that the allegations are false and that there was no such promise of marriage rather, the relationship was consensual. Moreover, if there was any promise of marriage, the same can only be established during the trial by adducing evidence before the learned trial court. He also submitted that the petitioner has been in custody for 7



months and the investigation in the present case has already been completed. The challan has also been presented, although charges have not yet been framed and as such in view of the aforesaid facts and circumstances, the petitioner may be considered for the grant of regular bail.

3. On the other hand, learned State counsel submitted that, insofar as the custody of the petitioner is concerned, the same is correct and the investigation in the present case has already been completed and challan has also been presented. He however submitted that allegations against the petitioner are serious in nature and therefore the petitioner is not entitled for grant of regular bail.

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

5. The custody of the petitioner has come out to be 07 months and as per both the learned counsels for the parties, the investigation in the present case has already been completed and the challan has also been presented. A perusal of the FIR would show that as per the allegations, the complainant stated that for number of years, they had developed a sexual relationship on the pretext of marriage. This Court is of the view that whether a false promise of marriage was made or not can only be determined at the time of trial by way of adducing the evidence. However, for the purpose of considering grant of regular bail to the petitioner, this Court is of the view that the investigation in the present case has already been completed and the petitioner has already faced incarceration for about 7 months and the same is therefore, a relevant factor in considering the bail petition. Furthermore, it is neither the case of the learned State counsel



nor it has been argued that if the petitioner is released on bail, he may abscond, flee from justice, influence witnesses, or tamper with evidence. Therefore, considering the aforesaid totality of the circumstances in the present case, this Court deems it fit and proper to grant regular bail to the petitioner .

6. 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.

7. 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

06.05.2025

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