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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M- 24980-2025

Date of Decision: 09.12.2025

AKSHAY VERMA

... PETITIONER

VERSUS

STATE OF PUNJAB AND ANOTHER

....RESPONDENTS

CORAM : HON'BLE MS. JUSTICE KIRTI SINGH

Present: Mr. Gurbir Singh Sandhu, Advocate
for the petitioner.

Mr. Luvinder Sofat, Sr. DAG, Punjab

KIRTI SINGH, J. (ORAL)

1. The jurisdiction of this Court under Section 483 BNSS has been invoked for grant of regular bail to the petitioner in case FIR No. 116 dated 12.07.2024 registered under Sections 376 and 493 IPC and later on added Section 312 IPC at Police Station Civil Lines, Patiala.

2. The translated version of the FIR is reproduced below:-

“To the Senior Superintendent of Police, Patiala. Subject :-complaint against Akshay Verma son of tarsem verma, tarsem verma, paramjit kaur wife of tarsem verma, swaran kaur wife of aman kaur, aman verma son of tarsem verma, goldi (Cousin of akshay verma) r/o shivpuri, dhuri, District Sangrur. I xxx d/o dharampal r/o house no 140, st no 5, Mahindra complex, Patiala and state as below:-1. That I am [b.com](#) pass and works in stock trading. 2) That I met akshay verma for first time in 2015 in sangrur where we were residing earlier and I used to study and used to go out for taking tuitions where I met akshay verma. Thereafter akshay verma proposed me in 2017 where I told him that I am not that type of girl and I will love that person only who will marry me. 3) That thereafter akshay verma started showing me marriage dreams and also make me meet with other accused persons and thereafter I used to have word with



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them on the phone and everyone started calling me akshay verma wife and akshay verma started coming in our house and thereafter my parents also came to know about my relation with akshay verma. 4) that in year 2020, we shifted to Patiala and akshay verma used to come to Patiala to meet me and also used to come to my house. 5) that on 14/2/2022 on the day of valentine, akshay verma took me to one restaurant where we spent 2-3 hours and thereafter he took me in one hut and then he bolted the room from inside and forcibly made physical relations with me while I tried to stop him that we will do all these things after marriage who did not listen to me and stated that I am with you since so many years and will marry you only. Thereafter if I met akshay verma for 10 times, then he made physical relations with me for 5-6 times and everytime used to gain trust on the marriage proposal. 6.) That then I got pregnant and I told akshay verma who stated that we don't want to keep the child and we have to go abroad and we will plan baby over there. Then I told the things to my parents where my parents called akshay verma and also got angry with him and then akshay verma told that he will marry me and also made me talk at his home and akshay took me to Krishna hospital, samania gate Patiala where on 28/5/2022 I got aborted where on the place of husband akshay verma gave his adhar card and signed. 7) that thereafter akshay verma came to my house on the birthday occasion of my mother and thereafter we met at Haveli situated on Sangrur road where he took one room and gave his adhar card. There also he exploited me sexually. 8.) That during this time akshay verma took money from me many times and I also gave him one gold ring and also took money from my mother. That it is worth telling that he on one occasion demanded Rs 1,10,000 from me on the pretext of LIC Policy. I gave him the money but he did not pay the EMI's and bank persons are calling me. In that in this way all the accused had shown me dreams of marriage and got me entangled in their trap and akshay verma made illicit relations with me and had grabbed money from me and my parents and now instead of marrying me is trying to marry with some other girl. That when I tried to contact with other accused, they ignored me and blocked my number. That in this way complaint is being presented so that strict action be taken against the accused persons and FIR be lodged and justice be granted to me. I shall be thankful to you. Sd/ ”

3. Learned counsel for the petitioner *inter alia* submits that the petitioner, who was in a consensual relationship with the prosecutrix, has been falsely implicated in the instant case due to temperamental differences between the petitioner and respondent no.2. A bare reading of the FIR reveals that the allegations levelled against the petitioner are sweeping and baseless. Infact, the petitioner was granted interim bail on 29.08.2025, which



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period, the parties solemnised marriage on 06.11.2025. Furthermore, there is no material on record that points towards the complicity of the petitioner. The material witnesses stand examined before the learned trial Court. The petitioner has already undergone a custody period of 01 year 01 month and 23 days as an undertrial. There is no other case registered against him.

4. *Per contra*, learned State counsel has vehemently opposed the submissions made by the learned counsel for the petitioner. He states that the petitioner was actively involved in the commission of the offence. He has filed the custody certificate in Court today. As per custody certificate, the petitioner has undergone an actual custody of 01 year 01 month and 23 days. There is no other case registered against him. Investigation is complete. The charges were framed on 29.08.2025 and out of a total of 25 prosecution witnesses, 01 has been examined. However, he submits that in view of the serious allegations against the petitioner, he is not entitled to the concession of regular bail.

5. Heard the rival submissions made by learned counsel for the parties.

6. Admittedly, the parties have solemnized marriage; the charges were framed on 29.08.2025 and out of total 25 prosecution witnesses, 01 has been examined till date. The petitioner has undergone actual custody of 01 year 01 month and 23 days and there is no other criminal case registered against him. The veracity of the allegations leveled against the petitioner shall be established during the course of the trial. No useful purpose shall be served by further detention of the accused-petitioner. Keeping the petitioner in further detention without the prospect of the trial being concluded in the



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near future, would be violative of his rights under Article 21 of the Constitution of India including the right to speedy trial, and is against the principle “Bail is a rule, jail is an exception” as elucidated in the judgment of Apex Court in *“Dataram Singh vs. State of Uttar Pradesh and another”, (2018) 3 SCC 22.*

7. Without commenting anything on the merits of the case, lest it may prejudice the trial, the present petition is allowed and the petitioner is ordered to be released on regular bail on his furnishing adequate bail/surety bonds to the satisfaction of the concerned learned trial Court/Duty Magistrate. The petitioner shall also abide by the following conditions:-

- (i) The petitioner will not tamper with the evidence during the trial.
- (ii) The petitioner will not pressurize/intimidate the prosecution witness(s).
- (iii) The petitioner will appear before the trial Court on the date fixed, unless personal presence is exempted.
- (iv) The petitioner shall not commit an offence similar to the offence of which he is accused of, or for commission of which he is suspected.
- (v) The petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade her from disclosing such facts to the Court or to any police officer or tamper with the evidence.

8. In case of breach of any of the above conditions, the prosecution shall be at liberty to move an application for cancellation of bail before this Court.

9. However, nothing stated above shall be construed as a final expression of opinion on the merits of the case and the trial Court would proceed independently of the observations made in the present case which are only for the purpose of adjudicating the present bail petition.



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10. Pending miscellaneous application(s), if any, also stands disposed of.

09.12.2025
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(KIRTI SINGH)
JUDGE

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