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2025:PHHC:124774



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

CRM-M-35714-2025

Date of decision: September 11, 2025

Karandeep Singh @ Deep

....Petitioner

versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present:- Mr. Nikhil Ghai, Advocate,
Mr. Gurjas Gill, Advocate and
Mr. Armaan Brar, Advocate for the petitioner.

Mr. Jaypreet Singh, DAG Punjab.

SUMEET GOEL, J. (ORAL)

Present petition has been filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') for grant of regular bail to the petitioner in case bearing FIR No.136 dated 06.07.2024, registered for the offences punishable under Sections 103, 140(3), 3(5) of the Bharatiya Nyaya Sanhita, 2023 (for short 'BNS')/ Sections 302, 365, 34 of IPC, at Police Station Ajnala, District Amritsar Rural.

2. The gravamen of the allegations against the petitioner is that on 26.06.2024, Jorge Singh (father of girl, namely, Gurpreet Kaur), Jaideep Singh, Labba Masih, Mannu Singh, Mintu Masih, Gulshan Masih, Shhabbo, Dilbagh Singh, Karan (petitioner), Gagan along with 5/7 unidentified persons traced son of the complainant, namely, Rohit Masih and Gurpreet

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Kaur, to whom, son of the complainant had taken away somewhere on 24.06.2024 as they both were in love with each other. Thereafter, the aforesaid accused persons abducted the son of the complainant and the aforesaid girl, namely, Gurpreet Kaur. They had given beatings to the son of the complainant badly and made a video thereof as well. Rohit and one Daanial @ Mani were ordered to be taken to '*Bal Sudhaar Ghar*', Shimlapuri, Ludhiana, and when the complainant visited the said place on 04.07.2024, then Rohit Masih disclosed him that he was having pain in his body due to the injuries caused by the relatives of Gurpreet Kaur. On the same day, in the night, the complainant came to know that his son – Rohit Masih had passed away.

3. Learned counsel for the petitioner has iterated that the petitioner is in custody since 02.10.2024. Learned counsel has argued that the petitioner has been falsely implicated into the FIR in question. Learned counsel has iterated that genesis of the FIR in question is actually the relationship between deceased – Rohit Masih and Gurpreet Kaur. Learned counsel has further argued that medical evidence available on record indicates that the deceased – Rohit Masih passed away on account of multiple organ diseases. Learned counsel has further argued that the police have not recorded the statement under Section 161 of the Code of Criminal Procedure, 1973 (for short 'Cr. P.C.') of the said girl/ Gurpreet Kaur. Learned counsel has also iterated that the petitioner has been in custody for more than 10 months. Thus, regular bail is prayed for.

4. Learned State counsel has placed on record the custody certificate dated 10.09.2025 and an affidavit dated 10.09.2025 of Maninder

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Singh, IPS, Senior Superintendent of Police, District Amritsar (Rural) in the Court today, which are taken on record. Raising submissions in tandem with the said affidavit, learned State counsel has opposed the present petition by arguing that the allegations raised against the petitioner are serious in nature and, thus, he does not deserve the concession of the regular bail.

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

6. The petitioner was arrested on 02.10.2024 and is in continuous custody since then. Upon culmination of investigation, challan has been presented on 02.01.2025. Total 16 prosecution witnesses have been cited and it is not in dispute that none of them has been examined till date. The rival contentions raised at Bar give rise to debatable issues, which shall be ratiocinated upon during the course of trial. This Court does not deem it appropriate to delve deep into these rival contentions, at this stage, lest it may prejudice the trial. Nothing tangible has been brought forward to indicate the likelihood of the petitioner absconding from the process of justice or interfering with the prosecution evidence.

6.1. As per custody certificate dated 10.09.2025 filed by the learned State counsel, the petitioner has already suffered incarceration for a period of 10 months and 11 days. Further, as per the said custody certificate the petitioner is stated to be involved in other FIR(s). However, this factum cannot be a ground sufficient by itself, to decline the concession of regular bail to the petitioner in the FIR in question when a case is made out for grant of regular bail *qua* the FIR in question by ratiocinating upon the facts/circumstances of the said FIR. Reliance in this regard can be placed

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upon the judgment of the Hon'ble Supreme Court in *Maulana Mohd. Amir Rashadi v. State of U.P. and another, 2012 (1) RCR (Criminal) 586*, a Division Bench judgment of the Hon'ble Calcutta High Court in case of *Sridhar Das v. State, 1998 (2) RCR (Criminal) 477* & judgments of this Court in CRM-M No.38822-2022 titled as *Akhilesh Singh v. State of Haryana*, decided on 29.11.2021, and *Balraj v. State of Haryana, 1998 (3) RCR (Criminal) 191*.

Suffice to say, further detention of the petitioner as an undertrial is not warranted in the facts and circumstances of the case.

7. In view of above, the present petition is allowed. Petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the Ld. Concerned CJM/Duty Magistrate. However, in addition to conditions that may be imposed by the concerned CJM /Duty Magistrate, the petitioner shall remain bound by the following conditions:

- (i) The petitioner shall not mis-use the liberty granted.
- (ii) The petitioner shall not tamper with any evidence, oral or documentary, during the trial.
- (iii) The petitioner shall not absent himself on any date before the trial.
- (iv) The petitioner shall not commit any offence while on bail.
- (v) The petitioner shall deposit his passport, if any, with the trial Court.
- (vi) The petitioner shall give his cellphone number to the Investigating Officer/SHO of concerned Police Station and shall not change his cell-phone number without prior permission of the CJM/ Duty Magistrate.
- (vii) The petitioner shall not in any manner try to delay the trial.

8. In case of breach of any of the aforesaid conditions and those which may be imposed by concerned CJM/ Duty Magistrate as directed hereinabove or upon showing any other sufficient cause, the

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State/complainant shall be at liberty to move cancellation of bail of the petitioner.

- 9. Ordered accordingly.
- 10. Nothing said hereinabove shall be construed as an expression of opinion on the merits of the case.
- 11. Since the main case has been decided, pending miscellaneous application, if any, shall also stands disposed off.

(SUMEET GOEL)
JUDGE

September 11, 2025
mahavir

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