



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

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**CRM-M-49740-2025(O&M)
Decided on: 25.09.2025**

AKASHDEEP SINGH

. . . Petitioner(s)

Versus

STATE OF PUNJAB AND OTHERS

. . . Respondent(s)

CORAM: HON'BLE MS. JUSTICE KIRTI SINGH

PRESENT: Mr. HPS Ishar, Advocate
for the petitioner.

Ms. Aakanksha Gupta, AAG Punjab.

Mr. Naveen Kumar, Advocate
for respondents No.2 to 4.

KIRTI SINGH, J. (Oral)

1. The jurisdiction of this Court has been invoked under Section 483 BNSS for grant of regular bail to the petitioner in case FIR No.117 dated 26.06.2025, under Sections 96 & 137(2) of BNS, 2023, registered at Police Station City Muktsar, District Sri Muktsar Sahib.

2. The contents of the aforesaid FIR are reproduced herein below:-

“Statement of Sarabjit Kaur W/o Gurmeet Singh S/o Mukhtiar Singh resident of near Ravi Das Mandir, Jagmeet Singh Brar Wali Gali, Shri Muktsar Sahib aged about 40 years mobile no: xxxx, stated that i am the resident of above mentioned address and do labour work. My husband Gurmeet Singh S/o Mukhtiar Singh resident of near Ravi Das Mandir, Jagmeet Singh Brar Wali Gali, Shri Muktsar sahib was earlier married to Kamlesh Rani D/o Piara Singh, resident of Kotkapura about 30 years ago. Elder son Amitaj Singh aged about 28 years and younger son Sandeep Singh aged about 25 years were born from that marriage: Kamlesh Rani died due to health issues about 23 years ago. My parents arranged my marriage about 20 years ago with Gurmeet Singh with my consent because the children of Kamlesh Rani was young. A daughter named xxxx aged about 17 years was born from me. She is minor. That on dated: 06.06.2025 about 9:00 AM i went to my work. My husband Gurmeet Singh and my daughter xxxx were at home. At about 12:15 PM when i came



back home from my work and found that my husband was sleeping in his room and my daughter was not present in the house and i woke him up and asked about our daughter. He told me that she will be at home just check. When i did not find my daughter then me and my husband searched for our daughter in neighbourhood but we did not find. Then we found out in our relatives house but we did not find her. Till now we are looking for our daughter ourselves. Now, we found that Akashdeep Singh S/o Jagpreet Singh resident of village Chak Mahabadhar (Jhindwala) District shri Muktsar sahib has taken our daughter with him by giving her deception of marriage. Akashdeep Singh used to work at a carpenter shop near Akal academy shri Muktsar sahib and he often go through our street. So, it is humbly requested that legal action be taken against Akashdeep Singh S/o Jagpreet Singh resident of village Chak Mahabadhar (Jhindwala) District shri Muktsar sahib. My daughter xxxx be returned to me and justice be delivered to me. Statement given and read.”

3. At the very outset, learned counsel for the parties submits that submits that the petitioner and respondent No.4 were in consensual relationship and now the parties have compromised the matter, with respect to which reliance is placed upon Annexure P-2. A separate petition seeking quashing of the instant FIR on the basis of the said compromise has also been filed before this Court, bearing No.CRM-M-40214-2025. The petitioner has already undergone an actual custody of 02 months and 23 days and he has clean antecedents.

4. *Per contra* learned State counsel has opposed the bail and submits that the petitioner was actively involved in the commission of the alleged offence. She has filed custody certificate in Court today and the same is taken on record. As per custody certificate, the petitioner has undergone actual custody of 02 months and 23 days and there is no other case registered against him. She on instructions from ASI Harjinder Singh, submits that challan was presented on 26.07.2025 and charges are yet to be framed. She, however, submits that in view of the serious allegations against the petitioner, petitioner is not entitled to the concession of regular bail.



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

6. From a perusal of the case in hand, it transpires that the petitioner is behind the bars since 01.07.2025. Investigation is complete. The final report under Section 173 Cr.P.C. was presented before the concerned Court and trial of the case has not made much progress, as challan was presented on 26.07.2025 and charges are yet to be framed. The culpability, if any, would be determined at the time of 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 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. Accordingly, 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 she 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 him/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.
10. Pending miscellaneous application(s), if any, also stands disposed of.

(KIRTI SINGH)
JUDGE

25.09.2025

Kavita

Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No