



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

(224)

CRM-M-52934-2025

Date of Decision: 24.9.2025

Sukhchain Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

**CORAM: HON'BLE MS. JUSTICE KIRTI SINGH**

Present: Mr. J.K.Singla, Advocate and  
Ms. Suman Rani, Advocate for the petitioner.

Ms. Aakanksha Gupta, AAG, Punjab.

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**KIRTI SINGH, J. (ORAL)**

1. The jurisdiction of this Court under Section 483 of BNSS, 2023 has been invoked for grant of regular bail to the petitioner in case FIR No. 44 dated 25.5.2025 under Sections 137(2) and 96 of BNS, 2023 (later on vide DDR No. 27 dated 21.7.2025, offence under Section 96 BNS was deleted and offence under Section 87 of BNS was added), registered at Police Station Joga, District Mansa.

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

*“Statement of Labh Singh Son of Sukhdev Singh, resident of Village Jhabbar Behra, Aklia aged about 50 years, M.No. 77173-xxxxx stated that I am resident of above-mentioned address and working as Labourer. My marriage was solemnized about 27 years ago with Veerpal Kaur daughter of Gurjant Singh, resident of Chattewala, District Bathinda. Thereafter, we have three children i.e. elder from all girl xxxx, younger to her boy Rajdeep Singh and youngest from all girl xxxx. My elder daughter xxxx aged about 23 years old and who was married with Jaspreet Singh, resident of Macchike, District Moga. Boy namely Rajdeep Singh aged about 20 years is still unmarried and my youngest daughter xxxx who is about 17 years 5 months old and studying in +2 class in Government Senior Secondary School Aklia. On 23.05.2025 who went to school for*



*studies as per daily routine and time was about 12:15 that phone call was received from school that phone of your girl be handover in school because ID of child is being created. Upon this, I and my son Rajdeep Singh handed over phone Redmi A-1 containing Number 95010-xxxxx in working condition to my daughter Kamal Kaur in school. Thereafter, my daughter Kamal Kaur has not come back to home and we are searching her/daughter xxxx at our own level in our relations and today, we came to know that Sukhchain Singh Son of Nirmal Singh, resident of Daraj, District Barnala took away my daughter xxxx by alluring/under the pretext of marriage. Today, I and my brother in law Jagsir Singh Son of Gurjant Singh, resident of Chatterwala, District Bathinda were coming to Police Station for giving information. You along with Police party met at Canal Bridge, Joga. Appropriate legal action be taken against abovesaid Sukhchain Singh.”*

3. Learned counsel for the petitioner *inter alia* submits that the petitioner has been falsely implicated in this case by the complainant on the allegations that his daughter has been allured by the petitioner under the false pretext of marriage. It is submitted that the petitioner has been nominated as an accused solely for the reason of being well known to the prosecutrix. In fact, the victim in her statements recorded under Section 180 and 183 BNSS did not level any incriminating allegations against the petitioner, rather she categorically stated that she had left home at her own accord and that she wishes to solemnize marriage with the petitioner. There is also no medical evidence on record against the petitioner. He further submits that the petitioner has undergone an actual custody of 03 months and 28 days, and 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. She states that the petitioner was actively involved in the commission of the offence. She has filed custody certificate in Court today and the same is taken on record.



As per custody certificate, the petitioner has undergone an actual custody of 03 months and 28 days. The learned State counsel, on instructions from ASI Jarnail Singh, submits that in the present case, challan was presented on 22.7.2025 and the charges are yet to be framed. She 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. Investigation in the instant case stands completed, whereafter challan was presented on 21.7.2025. The petitioner has undergone actual custody of 03 months and 28 days, and there is no other criminal case registered against him. The veracity of the allegations levelled 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 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 him 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**

**September 24, 2025**  
**Gurpreet Singh**

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