



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

**(268)**

**CRM-M-57950-2025 (O&M)  
Date of Decision: 29.10.2025**

Lovepreet Singh @ Labhi @ Labjeet Singh

.....Petitioner

Versus

State of Punjab and another

.....Respondents

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

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Present: Mr. Sidhant Vermani, Advocate  
for the petitioner.

Mr. Luvinder Sofat, Sr. DAG, Punjab

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

1. The jurisdiction of this Court under Section 483 of Bharatiya  
Nagarik Suraksha Sanhita (BNSS), 2023 has been invoked for grant of  
regular bail to the petitioner in case FIR No. 66 dated 04.06.2025, under  
Sections 137(2) & 87 of BNS (Section 64 of BNS deleted and Section 65(1)  
of BNS read with Section 6 of Protection of Child From Sexual Offences  
Act added later on), registered at Police Station C Division Amritsar.

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

“Statement of xxxx wife of Raj Kumar, resident of House  
No.1060, Street No.02, Himmatpura, outside Gilwali Gate,  
Amritsar, aged about 43 years, Mobile No.9815311376, stated  
that I am a resident of the above address and am a housewife, I  
do not have any children of my own, I have adopted a girl  
named xxxx, whose date of birth is 20.11.2010, from my



maternal father-in-law's son Raj Kumar, who is my brother-in-law in relation, I have taken care of her. She is studying in class 10 at Shakti Model School, Sharma Colony, Amritsar. I left my daughter xxxx at home with my husband Raj Kumar on 03.06.2025 at around 10:30 am. I went to my neighbours' house to pay my daughter tuition fees. When I returned home, I saw that my daughter was not present at home. So, I have been searching for my daughter in the neighbourhood and among my relatives, but I could not find her. I am sure that some unknown person has lured my daughter xxxx and taken her away on the pretext of marriage. Today, I was coming to you along with my brother-in-law's son Rahul son of Bakhsis Chand, resident of House No.1060, Street No.02, Himmatpura, Baherwar Gilwali Gate, Amritsar, to give information, you have met me and have written my statement. I am giving this statement in the presence of my brother-in-law's son Rahul, which is correct. I am victim and action should be taken. Sd/- xxxx Signature Punjabi, Rahul Signature English Verification Rajbir Singh, SI Police Station C Division, Amritsar date 04.06.2025."

3. Learned counsel for the petitioner *inter alia* submits that it is a case of false implication on the basis of the statement made by the mother of the prosecutrix. It is submitted that now, both the material witnesses i.e. the complainant and the victim, who have been examined, before the learned trial Court, have turned hostile (Annexure P-2). The petitioner, who is a young man of 21 years of age, has already undergone an actual custody of 4 months and 17 days and there is no case registered against him.

4. *Per contra*, learned State counsel has vehemently opposed the submissions made by the learned counsel for the petitioner. He 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 4



investigating officer concerned, submits that out of total 16 prosecution witnesses, 3 have been examined till date. 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, charges in the instant case were framed on 21.08.2025; and out of a total 16 prosecution witnesses, only three prosecution witnesses have been examined till date, out of whom two i.e. the complainant and the prosecutrix have turned hostile before the learned trial Court. The petitioner has undergone actual custody of 4 months and 17 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

October 29, 2025  
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Whether speaking/reasoned : Yes/No  
Whether reportable : Yes/No