



IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

(214)

CRM-M-62411-2025 (O&M)

Date of Decision: 19.12.2025

AKASHDEEP SINGH

.....Petitioner

Versus

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MS. JUSTICE KIRTI SINGH

Present: Ms. Dolli Sharma, Advocate
for the petitioner.

Mr. Luvinder Sofat, Sr. DAG, Punjab.

KIRTI SINGH, J. (ORAL)

CRM-50178-2025

Allowed as prayed for subject to all just exceptions. Annexures
P-11 and P-12 are taken on record.

CRM-M-62411-2025

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.213
dated 12.08.2025 under Sections 64 and 351(2) of BNS and Section 6 of
POCSO Act, registered at Police Station Ajnala, District Amritsar Rural.

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

*“Statement of xxxxx, wife of Harjit Singh, resident of Talwandi Rai
Dadu, age about 17 years and 6 months, Police Station Ajnala,
District Amritsar, Mobile number 82849-xxxxxx, stated that I am a
resident of the above stated address and do domestic work. I was
married to Harjit Singh, son of Sukhdev Singh, resident of Talwandi
Rai Dadu in the year 2021 and I have 2 children, one boy and one
girl. Our neighbour Akashdeep Singh, son of Sonu Singh resident of
Talwandi Rai Dadu, who used to visit our house a lot, used to have a*



bad eye on me. He kept asking me to have a relationship with him. I told him that I am married and I have children too. I cannot do this to you. He tempted me that I will treat you and your children better than your husband Harjit Singh. You should marry me. When I did not agree to this, Akashdeep Singh threatened me that if you do not marry me or do not stay in a relationship with me, I will kill your husband Harjit Singh and both the children, which I was afraid of, so I went to my maternal village Gujarpura, which Akashdeep Singh came to know about. On 20.05.2025, at around 09:30 in the morning, I was alone at home when Akashdeep Singh came to my maternal village Gujarpura, and forcibly put me on a motorcycle and took me with him to his aunt's house in village Bhindi Saida, where Akashdeep Singh had continuous sexual relations with me without my consent and then threatened me and filed a writ in the Punjab and Haryana High Court, Chandigarh against my husband Harjit Singh and my in-laws' family members, on which the police of Ajnala police station registered a case against my husband Harjit Singh and my mother xxxxx, which I was afraid of the said Akashdeep Singh and, following his words, filed a writ in the Hon'ble High Court, Chandigarh against my husband Harjit Singh and mother xxxxx, etc. Akashdeep Singh has forced me by misleading me and threatening to kill my husband Harjit Singh and children, having sexual intercourse with me without my consent and raping me, regarding which I have come to the police station today with my mother xxxxx to give a report. Action should be taken against Akashdeep Singh. I have written a statement and have heard it and read it which is correct. Sd/- xxxx”

3. Learned counsel for the petitioner *inter alia* submits that the petitioner, slightly over 18 years of age, has been falsely implicated in the instant FIR which was registered on the statement of the prosecutrix. While narrating the incidents that had occurred prior to the registration of the present FIR, learned counsel submits that the petitioner had helped the family of the prosecutrix, who had been married of as a child, had rescued her from her husband and in-laws family. Thereafter, the prosecutrix and her parents with the assistance of the petitioner approached this Court by way of a petition seeking protection from the husband and in-laws family of the prosecutrix. Pursuant thereof the prosecutrix in her statement recorded before the learned Magistrate stated that her child marriage had been



observation that he had, with bona fide intention, extended help to the prosecutrix and her family. Accordingly, the prosecutrix was ordered to be kept at a safe home, from where her mother took her, whereafter she pressurized her to get lodged the instant FIR against the present petitioner. It is submitted that this factual matrix reveals that the allegations against the petitioner are not in fact made out. Rather, it is a clear case of false implication. He further submits that the petitioner has undergone an actual custody of 4 months and 4 days. 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 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 months and 4 days. Investigation is complete and the final report under Section 173 Cr.P.C. stands presented before the concerned Court on 11.11.2025. The charges are yet to be framed. 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. Pertinently, challan in the instant case stands presented on 11.11.2025. The petitioner has undergone actual custody of 4 months and 4 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

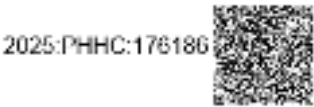


detention without the prospect of the trial being concluded in the near future, would be violative of his rights under Article 21 of the Constitution of India including the right to speedy trial, and is against the principle “Bail is a rule, jail is an exception” as elucidated in the judgment of Apex 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

December 19, 2025
Ithlesh

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