



CRM-M-6829-2026 (O&M)

1

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH****213****CRM-M-6829-2026 (O&M)
Decided on : 23.03.2026**

Raj Kumar @Raju @Raj Kumar Mittal

..... Petitioner

VERSUS

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE SURYA PARTAP SINGH

Present : Mr. J.S. Dhaliwal, Advocate for the petitioner.

Mr. I.P.S. Sabharwal, DAG, Punjab.

Mr. Naveen Sharma, Advocate for the complainant.

SURYA PARTAP SINGH, J.

This petition for bail is the first petition, filed by the petitioner under Section 483 of 'the Bharatiya Nagarik Suraksha Sanhita, 2023'. It has been filed with regard to a case arising out of FIR No.21 dated 11.03.2025, for the commission of offence punishable under Sections 103, 140(3), 137(2), 61(2), 238, 239, 249 [Sections 140(3), 137(2), 61(2) of BNS deleted later on], of Bharatiya Nyaya Sanhita, 2023, Police Station Maur, District Bathinda.

2. The abovementioned FIR came into being at the instance of 'Sumeet Goyal', hereinafter being referred to as 'complainant' only. It was reported by the above-named complainant that his daughter, Charis Goyal aged 19 years, was studying in MCM DAV College, Sector 36, Chandigarh,



and that on 09.03.2025 she left Chandigarh for her home in Maur Mandi. According to complainant, she did not reach home and when they (parents of Charis Goyal) tried to contact her, she told her mother at about 9:30-10:00 P.M. that she was in distress as she was locked in a room and an attempt to rape her was being made. It was further stated by the complainant that on enquiry, they came to know that his daughter had reached 'Maur Mandi', but she was kidnapped by Mukul Mittal and Karan Bansal along with two unknown persons in a Bolero vehicle, bearing Registration No.PB03-AK-2976.

3. Since there were allegations of kidnapping of his daughter, the FIR was lodged and investigation taken up. As per prosecution, during the course of investigation the accused Mukul Mittal, his father Ravi Kumar, uncle Raj Kumar (petitioner herein) and Karan Bansal were arrested, whereas the fifth accused namely Dimple was produced in the Police Station on 12.03.2025. It is the case of the prosecution that on 12.03.2025 the dead body of Charis Goyal was recovered from 'Kotla Canal Branch' and thus Section 103 BNS has been added in this case.

4. The learned State Counsel has filed status report as well as custody certificate of the petitioner. The same be taken on record.

5. It has been contended on behalf of petitioner that the petitioner is innocent, who has been falsely implicated in the present case, merely on the basis of unreliable evidence, which is otherwise inadmissible in evidence. According to learned counsel for the petitioner, for the



investigation of this case, Special Investigation Team headed by Deputy Superintendent of Police, Bathinda (Rural) was constituted and that as per investigation conducted by the above-mentioned team, the petitioner was not present near Canal when the alleged incident had taken place. It has also been contended by learned counsel for the petitioner that from the statement of complainant, it stands revealed that a false story with regard to kidnapping and rape of the daughter of complainant was cooked up, which stands falsified in view of the report of Special Investigating Team, who conducted investigation by adopting various scientific tools and other methods of investigation. As per learned counsel for the petitioner on the basis of CCTV footage the SIT found that the deceased was freely roaming with Mukul Mittal at different locations near Maur Mandi and Maur Khurd.

6. The learned counsel for the petitioner has further contended that the SIT further found that on the bank of Canal an argument took place between 'Mukul Mittal' and 'Charis Goyal' and during the course of abovementioned argument 'Mukul Mittal' pushed 'Charis Goyal' into the Canal, leading to her death. As per learned counsel for the petitioner in view of abovementioned findings of 'Special Investigating Team', no role can be attributed to the petitioner in the commission of offence, but he is languishing in jail for the last more than one year, and the trial is not likely to be concluded in near future.

7. The learned State Counsel being assisted by learned counsel for the complainant has controverted the abovementioned arguments. According to learned State Counsel, the allegations against the petitioner are for the



commission of offence punishable under Section 103 BNS along with other offences, and that the gravity of offence and the role attributed to the petitioner renders him ineligible for the benefit of bail.

8. The record has been perused carefully.

9. A perusal of record shows that in the present case for the purpose of investigation a team headed by Deputy Superintendent of Police was constituted, and the findings recorded by the abovementioned team have been placed on record, which goes to show that during the course of investigation when CCTV footage and call detail records were analyzed by the SIT, it was found that:-

- Charis Goel, daughter of Sumit Goel, resident of Maur Mandi, who was studying in MCM DAV College, Chandigarh, had friendly relations with Mukul Mittal son of Ravi Kumar, a resident of Maur Mandi (both families being acquainted socially);
- on 09-03-2028, Charis Goel obtained a night-out pass from her Hostel Warden Dr. Mainta Rani by sending a message, regarding an event in the family. Statements of the hostel warden and Charis Goel's father, along with message records, have been added to the case file;
- subsequently, Charis Goel informed her friends Shamia Qureshi, Avisha Gupta, Arshpinder Kaur Brar, and Tanvi Kapoor that she was going to meet her friend Mukul Mittal at Maur Mandi. She boarded a bus from Sector 43, Chandigarh, and got down at Ram Nagar Chowk, Maur Mandi. Statements of her friends have been recorded and placed on the case file;



- Mukul Mittal, with his friend Karan Bansal, picked up Charis Goel from Ram Nagar Chowk in a white Bolero vehicle, belonging to his uncle Raj Kumar alias Raju, who had borrowed it from his friend Harjeet alias Jeeti;
- after traveling to Barnala and returning to Maur Mandi, Mukul's uncle Raj Kumar took over the vehicle and dropped Karan Bansal at his house, and Mukul Mittal along with Charis Goel at Mukul's house;
- at that point of time, the fathers of Mukul Mittal (Ravi Kumar) and Charis Goel (Sumit Goel), along with others, were at Khatu Shyam, Salasar, Rajasthan for religious pilgrimage on 09-03-2025. This was confirmed through CDR analysis and statements;
- on 10-03-2025, around 1:39 AM, Mukul Mittal and Charis Goel left Mukul's house on a motorcycle, as confirmed by CCTV footage;
- both were seen roaming at different locations near Maur Mandi and Maur Khurd, crossing the Talwandi Maur bridge, proceeding via Talwandi Road, and reaching the canal track near village Maur Khurd, and eventually arriving at the Kotla Branch canal headworks. There, after getting down from the motorcycle, they were seen talking to each other;
- an argument reportedly took place between Mukul Mittal and Charis Goel regarding Mukul's plan to move to Pune for further studies. Following this argument, Mukul Mittal admitted during interrogation that he pushed Charis Goel into the canal, which led to her death.

10. If the above-mentioned findings of SIT and other facts and circumstances pertaining to present case are taken into consideration, it



transpires that following are the points which needs to be taken into consideration:-

- i. that the petitioner is already in custody for a period of more than one year;
- ii. that the only role attributed to the petitioner, as per finding recorded by SIT, is that the petitioner took over the vehicle at Maur Mandi and dropped Karan Bansal at Karan's house and Mukul Mittal along with Charis Goel at Mukul's house;
- iii. that benefit of bail has already been accorded to co-accused of the petitioner;
- iv. that nothing has been left to be recovered from the possession of petitioner;
- v. that the trial is not likely to be concluded in near future;
- vi. that the detention of the petitioner in judicial lockup is not likely to serve any purpose;
- vii. that there is nothing on record to show that if released on bail, the petitioner may tamper with the evidence or influence the witnesses; and
- viii. that there is nothing on record to show that if released on bail, the petitioner will not participate/cooperate in trial.

11. In the present case, the principles of law laid down by the Hon'ble Supreme Court of India in the case of "Dataram versus State of Uttar Pradesh and another", 2018(2) R.C.R. (Criminal) 131, are relevant, wherein it has been observed that "a fundamental postulate of criminal jurisprudence is the presumption of innocence, meaning thereby that a person is believed to be innocent until found guilty. However, there are



instances in our criminal law where a reverse onus has been placed on an accused with regard to some specific offences but that is another matter and does not detract from the fundamental postulate in respect of other offences. Yet another important facet of our criminal jurisprudence is that the grant of bail is the general rule and putting a person in jail or in a prison or in a correction home (whichever expression one may wish to use) is an exception. Unfortunately, some of these basic principles appear to have been lost sight of with the result that more and more persons are being incarcerated and for longer periods. This does not do any good to our criminal jurisprudence or to our society. There is no doubt that the grant or denial of bail is entirely the discretion of the judge considering a case but even so, the exercise of judicial discretion has been circumscribed by a large number of decisions rendered by this Court and by every High Court in the country. Yet, occasionally there is a necessity to introspect whether denying bail to an accused person is the right thing to do on the facts and in the circumstances of a case”.

12. The principles laid down by the Hon’ble the Supreme Court of India in the case of ‘Satender Kumar Antil Vs. Central Bureau of Investigation and Another’, (2022) 10 SCC 51, are also relevant in this case. In the abovementioned case, it has been observed that “the rate of conviction in criminal cases in India is abysmally low. It appears to us that this factor weighs on the mind of the Court while deciding the bail applications in a negative sense. Courts tend to think that the possibility of a conviction being nearer to rarity, bail applications will have to be decided strictly, contrary to



legal principles. We cannot mix up consideration of a bail application, which is not punitive in nature with that of a possible adjudication by way of trial. On the contrary, an ultimate acquittal with continued custody would be a case of grave injustice”.

13. Recently, in the case of ‘Tapas Kumar Palit Vs. State of Chhattisgarh’, 2025 SCC Online SC 322, the Hon’ble Supreme Court of India has observed that “if an accused is to get a final verdict after incarceration of six to seven years in jail as an undertrial prisoner, then, definitely, it could be said that his right to have a speedy trial under Article 21 of the Constitution has been infringed”. It has also been observed by the Hon’ble Supreme Court of India in the abovementioned case that “delays are bad for the accused and extremely bad for the victims, for Indian society and for the credibility of our justice system, which is valued. Judges are the masters of their Courtrooms and the Criminal Procedure Code provides many tools for the Judges to use in order to ensure that cases proceed efficiently”.

14. To elucidate further, this Court is conscious of the basic and fundamental principle of law that right to speedy trial is a part of reasonable, fair and just procedure enshrined under Article 21 of the Constitution of India. This constitutional right cannot be denied to the accused as mandated by Hon’ble Apex court in “Balwinder Singh versus State of Punjab and Another”, 2024 SCC Online SC 4354.



15. If the cumulative effect of all the abovementioned factors, involved in the instant case, is taken into consideration, it leads to a conclusion that the petitioner is entitled for the benefit of bail, and that the present petition deserves to be allowed.

16. Accordingly, without commenting anything on the merits of the case, the present petition is hereby ***allowed***. The petitioner is hereby ordered to be released on bail on furnishing personal bond and surety bond(s) to the satisfaction of learned trial Court. However the abovementioned concession shall be subject to following conditions:-

- (i) that 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 to disclose such facts to the Court or to any other authority;
- (ii) that the petitioner shall at the time of execution of bond, furnish the address to the Court concerned and shall notify the change in address to the trial Court, till the final decision of the trial; and
- (iii) that the petitioner shall not leave India without prior permission of the trial Court.

(SURYA PARTAP SINGH)
JUDGE

23.03.2026

Gaurav Thakur

Whether speaking / reasoned
Whether Reportable

Yes/No
Yes/No