

2026:PHHC:083543



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

CRM-M-14848 of 2026 (O&M)

Date of Decision: 26.05.2026

Amar Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM:- HON'BLE MS. JUSTICE NEERJA K. KALSON

Present: Mr. Chinku Bawa, Advocate
for the petitioner.

Mr. Nitesh Sharma, DAG., Punjab.

Mr. Bhagat Singh Ghuman, Advocate
for the complainant.

NEERJA K. KALSON, J.

1. Present petition has been filed under Section 483 BNSS, 2023 seeking grant of regular bail to the petitioner in case FIR No.84 dated 16.02.2026 registered under Sections 64, 127(2), 351(2) and 61(2) of the Bharatiya Nyaya Sanhita, 2023 (corresponding to Sections 376(1), 376(2), 342, 506 and 120-BIPC) at Police Station Samrala, District Khanna.

2. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case and is a 64-year-old person having no direct role in the alleged occurrence. It is contended that the genesis of the dispute lies in the relationship between the complainant and the son of the petitioner namely Jagroop Singh, who were known to each other since the year 2022 and were allegedly desirous of solemnizing

marriage. Counsel submits that both were major and had been meeting each other voluntarily and with mutual consent at different places.

3. It is further argued that initially both families had agreed to the relationship, however, subsequently objections arose on account of difference in religion, as the petitioner's family belongs to Sikh community whereas the complainant belongs to Hindu community. Learned counsel submits that when the petitioner came to know about the conduct of his son and the discord arising therefrom, he had even disowned his son through a public newspaper notice and severed all ties with him and debarred him from movable and immovable properties.

4. It is further submitted that the allegations levelled against the present petitioner are vague and omnibus in nature and no overt act constituting the principal offence has been attributed to him. Counsel contends that the petitioner has been implicated merely on account of being the father of the principal accused. It is argued that the investigation already stands concluded and challan has been presented before the competent Court on 16.04.2026, It is further submitted that the prosecution has cited 15 witnesses, charges are yet to be framed and no prosecution witness has been examined till date, therefore, conclusion of trial is likely to take considerable time.

5. Learned counsel further submits that co-accused Harpreet Kaur, wife of the present petitioner and mother of the principal accused, has already been granted bail by the competent Court and the case of the present petitioner stands on similar footing. It is argued that continued incarceration

of the petitioner would serve no useful purpose particularly when custodial interrogation is no longer required.

6. *Per contra*, learned State counsel assisted by learned counsel for the complainant has opposed the prayer for bail as there are specific allegation against the petitioner.

7. Learned State counsel submits that the allegations in the FIR disclose active participation of the present petitioner in the commission of offence. It is contended that when the complainant attempted to escape from the house, the present petitioner along with his wife wrongfully confined her in a room along with the principal accused Jagroop Singh, thereby facilitating the sexual exploitation of the complainant.

8. It is further submitted that the role attributed to the petitioner cannot be termed to be merely passive or incidental in nature. Learned State counsel contends that the acts alleged against the petitioner discloses a conscious and deliberate participation in the commission of offence and therefore, the petitioner does not deserve the concession of bail merely on the ground of age.

9. Learned counsel for the complainant has also vehemently opposed the petition and submits that the allegations levelled in the FIR are serious in nature and involve not only sexual exploitation but also wrongful confinement and criminal intimidation.

10. I have heard learned counsel for the parties and have perused the record.

11. At the stage of consideration of bail, a detailed examination of evidence is neither warranted nor permissible. The Court is only required to

form a prima facie opinion on the basis of the material available on record while balancing the competing considerations of individual liberty and societal interest.

12. In the present case, the allegations against the petitioner are that he, along with his wife, confined the complainant in a room with the principal accused and thereby facilitated the commission of offence. At the same time, it is not disputed that the petitioner is a 64-year-old person and investigation in the present case already stands concluded. Challan has been presented before the trial Court on 16.04.2026. The prosecution has cited as many as 15 witnesses, charges are yet to be framed and no prosecution witness has been examined till date. Thus, the trial is not likely to conclude in the near future.

13. It is also not the case of the prosecution that the petitioner is required for any further custodial interrogation. The co-accused namely Harpreet Kaur has already been granted bail. The petitioner is stated to have clean antecedents and nothing has been brought on record to show that in the event of release on bail, he would either abscond or influence the witnesses.

14. Without commenting upon the merits of the case and considering the age of the petitioner, the stage of the trial, the fact that investigation stands concluded and the prolonged incarceration likely to be suffered during pendency of trial, this Court deems it appropriate to grant concession of regular bail to the petitioner.

15. Accordingly, the present petition is allowed. Petitioner-Amar Singh is ordered to be released on regular bail subject to his furnishing

adequate bail/surety bonds to the satisfaction of the learned trial Court/Duty Magistrate concerned.

16. However, it is clarified that anything observed hereinabove shall not be construed as an expression on merits of the case and the trial Court shall proceed independently on the basis of evidence led before it.

17. Pending applications, if any, also stand disposed of.

(NEERJA K. KALSON)
JUDGE

26.05.2026

s.khan

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