

CRM-M-16825 of 2026(O&M)

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

2026:PHHC:084986



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CRM-M-16825 of 2026(O&M)

Reserved on:26.05.2026

Pronounced on:29.05.2026

Uploaded on:29.05.2026

Lovepreet Singh

..Petitioner

Versus

State of Punjab and another

..Respondents

CORAM: HON'BLE MS. JUSTICE SHALINI SINGH NAGPAL

Present: Mr. Kanwaljeet Singh Brar, Advocate
for the petitioner.

Mr. Akash Yadav, DAG Punjab.

Mr. Mohit Singla, Advocate
for the complainant (through V.C.)

SHALINI SINGH NAGPAL, J.

1. Petitioner seeks regular bail in case vide FIR No.30 dated 09.03.2024, under Sections 363, 366-A, 376 IPC and Section 4 of POCSO Act, Police Station Kotbhai, District Muktsar Sahib. This is the first petition for regular bail.

2. Complainant, father of the prosecutrix stated that his eldest daughter 'JK' was a student of Class 12th in the Government School of the village. On 07.03.2024 at about 10:15 a.m. he dropped her in the school and found her missing when went to fetch her back. He had been searching for

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‘JK’ and learnt that she was enticed away by Lovepreet Singh son of Jagjit Singh on false pretext of marriage. Legal action was prayed for.

3. Learned counsel for the petitioner submits that the petitioner who had been falsely implicated, was in custody for more than 2 years and 3 months. The victim and complainant stood examined. It was a case of consensual relationship. There was a delay of 2 days in registration of the FIR. In her statement recorded during investigation, prosecutrix stated that she had gone with the petitioner of her own will. No human semen or male DNA was detected on the vaginal swab collected. Since material witnesses stood examined, petitioner, deserved to be enlarged on bail.

4. Learned State counsel has filed status report in the form of affidavit of Arun Mundan, PPS Deputy Superintendent of Police, Sub Division Gidderbaha, District Sri Muktsar Sahib, along with custody certificate. He has opposed the prayer for regular bail on the ground that in her statement under Section 164 Cr.P.C. minor prosecutrix stated about sexual intercourse with the petitioner. Statement of other witnesses recorded during investigation proved culpability of the petitioner who eloped with the prosecutrix. Allegations against the petitioner were serious and grave in nature, petitioner, therefore, did not deserve the concession of bail.

5. Learned counsel for respondent No.2 too has opposed the prayer for regular bail.

6. Two witnesses, namely prosecutrix and complainant have been examined during the course of trial. DNA report received from FSL is not incriminating. There is now no prospect of the petitioner influencing the witnesses or tampering with evidence. Though there is one other case

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pending against the petitioner, that alone cannot be a ground to refuse the prayer for bail. Petitioner is in custody for the last more than 2 years and prosecution is yet to examine 19 witnesses. Conclusion of trial does not appear to be possible by an early date. Right of speedy trial of the petitioner has been infringed. There is no reason to suspect that the petitioner may obstruct trial or evade from the process of law. In the facts and circumstances of the case but without commenting on merits, petitioner is ordered to be released on regular bail subject to his furnishing adequate bail and surety bonds to the satisfaction of trial Court/Duty Magistrate.

All the pending miscellaneous applications, if any, stand disposed of.

(SHALINI SINGH NAGPAL)
JUDGE

29.05.2026

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Whether speaking/reasoned	:	Yes
Whether reportable	:	No