



IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

(218)

CRM-M-17307-2026 (O&M)

Date of Decision: 18.05.2026

LOVEJEET SINGH

.....Petitioner

Versus

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MS. JUSTICE KIRTI SINGH

Present: Mr. N.K. Verma, Advocate and
Mr. C.K. Jangra, Advocate for the petitioner.

Ms. Aakanksha Gupta, AAG, Punjab.

KIRTI SINGH, J. (ORAL)

CRM-22196-2026

The instant application is for impleading the complainant as respondent No.2 in the present petition.

The application is allowed as prayed for.

The complainant is impleaded as respondent No.2 in the present petition.

Amended memo of parties is taken on record.

Registry is directed to tag the same at the appropriate place.

CRM-22197-2026

Allowed as prayed for subject to all just exceptions.
Compromise deed is taken on record.

MAIN CASE

Mr. Manik Bhardwaj, Advocate (through V.C.) and Ms. Harshita Kalra have put in appearance on behalf of complainant and file their power of attorney, which is taken on record.



2. The jurisdiction of this Court under Section 483 BNSS has been invoked for grant of regular bail to the petitioner in case FIR No.28 dated 04.06.2025 under Sections 75(2), 75(3) and 78(2) of BNS, Sections 66-A and 67-A of I.T. Act, registered at Cyber Crime Police Station, S.A.S. Nagar District, District S.A.S. Nagar.

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

“Statement of xxxxx daughter of Amarjit Singh resident of house number 2832 block C, Array City SAS Nagar aged about 27 years, Mob. No. 73470xxxxx stated that I am a resident of the above address and has been working at Zscaler Company, 1st 2nd and 3 floor plot no. ITC 09, IT Park, Net Smart Square, Near MC Office Sector 67 Mohali since 2022. I have done my degree in Computer Science from MIET Jammu Educational Institution Kot Bhalwal Jammu Jammu Kashmir from year 2015 to year 2019. At that time, Lovejit Singh, son of Jaankaar Singh, resident of Jammu city, Jammu Kashmir, was also studying in my college. At that time, Lovejit Singh asked me for friendship many times but I refused him. After completing my studies, I started working in above Zscaler Company situated in Mohali. After some time, Lovejit Singh started harassing me by calling me from his mobile number 95969-xxxxx, so I blocked him. Then during the period of 2024-25, he started sending inappropriate and obscene messages on my email ID samarmarwah1@gmail.com from his email ID lovejeetsingh209@gmail.com, to which I did not respond. But even after that, I kept receiving his e-mail messages, in which he kept demanding to have physical relations with me without my consent, kept making lewd comments about my private parts without my consent, and sometimes kept following me outside my office, due to which I had to face a lot of annoyance and inconvenience. Due to these actions of his, I was very scared and panicked and I started avoiding going to my office. I am presenting to you today a printout and pen drive of all the evidence regarding the obscene e-mails sent to me by the above Lovejeet singh during the period of 2024-25 and his following me outside my office. I have filed a complaint on online cybercrime portal regarding the above matter through Acknowledgement No.22503250006151. After filing this complaint, I felt that Lovejit Singh would stop his act, due to which I did not take any action regarding filing of a case against him, but he has been continuously sending me obscene messages from email ID and he is still not stopping from following me. Therefore, today I have appeared before you at the police station and got my statement recorded. Please take appropriate legal action against Lovejit Singh, son of Jankar Singh, resident of Jammu city, Jammu and Kashmir. I



have written the statement. You have read it to me and I heard it. It is correct.”

4. Learned counsel for the petitioner *inter alia* submits that the petitioner has been falsely implicated in the instant case on the statement of the complainant. It is submitted that only vague and sweeping allegations have been levelled in the present FIR, as there is no specific date or time of the commission of alleged offence. Be that as it may, the parties have now mutually resolved their disputes. In this regard, reliance is placed on compromise deed (Annexure P-5). In fact, a separate petition seeking quashing of the instant FIR on the basis of the aforesaid compromise, has also been filed, pending approval for listing before the concerned Bench of this Court. He further submits that the petitioner, aged about 27 years, has already undergone an actual custody of 2 months and 20 days. There is no other case registered against him.

5. *Per contra*, learned State counsel has vehemently opposed the submissions made by the learned counsel for the petitioner. She states that the petitioner was actively involved in the commission of the offence. She 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 2 months and 20 days. Investigation is complete. The final report under Section 173 Cr.P.C. was presented before the concerned Court on 24.04.2026. The charges are yet to be framed. She submits that in view of the serious allegations against the petitioner, he is not entitled to the concession of regular bail.

6. Learned counsel appearing on behalf of complainant does not dispute the submission made by the learned counsel for the petitioner regarding the compromise arrived at between the parties.



7. Heard the rival submissions made by learned counsel for the parties.

8. Before proceeding, a gainful reference can be made to the observations passed by the Hon'ble Supreme Court in ***Sanjay Chandra v. CBI, (2012) 1 SCC 40***, relevant paras whereof reads thus:

"21. In bail applications, generally, it has been laid down from the earliest times that the object of bail is to secure the appearance of the accused person at his trial by reasonable amount of bail. The object of bail is neither punitive nor preventative. Deprivation of liberty must be considered a punishment, unless it is required to ensure that an accused person will stand his trial when called upon. The courts owe more than verbal respect to the principle that punishment begins after conviction, and that every man is deemed to be innocent until duly tried and duly found guilty.

22. From the earliest times, it was appreciated that detention in custody pending completion of trial could be a cause of great hardship. From time to time, necessity demands that some unconvicted persons should be held in custody pending trial to secure their attendance at the trial but in such cases, "necessity" is the operative test. In this country, it would be quite contrary to the concept of personal liberty enshrined in the Constitution that any person should be punished in respect of any matter, upon which, he has not been convicted or that in any circumstances, he should be deprived of his liberty upon only the belief that he will tamper with the witnesses if left at liberty, save in the most extraordinary circumstances."

9. Reverting to the case in hand, it is borne out from the record that the investigation is complete and challan stands filed on 24.04.2026. The pace of the proceedings, thus, indicates that the conclusion of trial is not imminent. The petitioner has already remained in actual custody for a period of 2 months and 20 days. It is also not disputed that he has no criminal

antecedents and is not involved in any other case. A joint submission



regarding a compromise purportedly arrived at between the parties has also been made.

10. While the truthfulness or otherwise of the allegations levelled against the petitioner, and the culpability, if any, would be tested and determined on the touchstone of evidence during the course of trial, the parameters governing the grant of bail necessitate a balanced consideration of the nature of accusation, the stage of the trial, the antecedents of the accused, and the likelihood of his absconding or influencing the course of justice.

11. Presently, no material has been placed on record to suggest that the petitioner poses a flight risk or that his release would impede the fair conduct of the trial. Therefore, upon taking into account all the considerations stated hereinbefore, and without expressing an opinion on the merits of the case lest it may prejudice the trial, this Court is of the opinion that the continued detention of the petitioner, in the backdrop of the pace of the proceedings and the substantial period of incarceration already undergone, would not advance the cause of justice. The guarantee of personal liberty under Article 21 of the Constitution of India, which includes the right to a speedy trial, obliges the Court to ensure that pre-trial incarceration does not assume a punitive character. The prolonged incarceration, without the prospect of the trial being concluded in the near future, would also run contrary to the settled legal principle that 'bail is the rule and jail is the exception', as reaffirmed by the Hon'ble Supreme Court in ***Dataram Singh vs. State of Uttar Pradesh and another (2018) 3 SCC 22.***

12. Accordingly, the present petition is allowed, and to ensure that the interests of justice are adequately safeguarded, the petitioner is ordered

to be released on regular bail upon furnishing of adequate bail/surety bonds to the satisfaction of the concerned learned trial Court/Duty Magistrate, subject to the following terms and 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.

13. 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.

14. It is reiterated that the observations made in hereinabove are only for the purpose of adjudicating the present bail petition, and must not be construed as a final expression of opinion on the merits of the case.

Pending miscellaneous application(s), if any, also stands disposed of.

(KIRTI SINGH)
JUDGE

May 18, 2026
Itihlesh

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