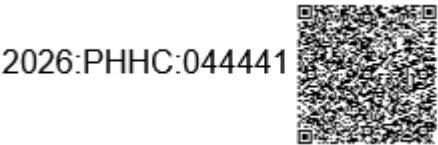


IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH



CRM-M-37717-2025 (O&M)

Suraj Singh @ Akashdeep Singh

... Petitioner

Vs.

State of Punjab

... Respondent

1.	The date when the judgment is reserved	19.03.2026
2.	The date when the judgment is pronounced	20.03.2026
3.	The date when the judgment is uploaded on the website	20.03.2026
4.	Whether only operative part of the judgment is pronounced or whether the full judgment is pronounced	Full
5.	The delay, if any, of the pronouncement of full judgment, and reasons thereof	Not applicable

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. R.S. Sidhu, Advocate for the petitioner.

Ms. Ruchika Sabherwal, Sr. DAG, Punjab.

...

Manisha Batra, J. (Oral).

1. The instant petition has been filed by the petitioner seeking benefit of regular bail in case arising out of FIR No.26, dated 27.03.2025, registered under Sections 137(2) and 61(2) of the BNS (offences under Section 143 of the BNS and Section 84 of the Juvenile Justice (Care and

Protection of Children) Act, 2015 were added lateron), at Police Station Amanat Khan, District Tarn Taran.

2. The aforementioned FIR was registered on the basis of statement recorded by complainant – Pawandeep Kaur on 27.03.2023, alleging that on the same day, the petitioner, who is her brother-in-law and resides in her neighbourhood, had taken her son outside on the pretext of playing with him. Shortly thereafter, she did not find her son to be there. When she questioned the petitioner, he started avoiding responding to the same. She made inquiries at her own level and came to know that the petitioner alongwith some unknown person had kidnapped her son with an intent to sell him. The cause of grudge was some old dispute between them.

3. After registration of the FIR, investigation proceedings were initiated. A secret information was received that son of the petitioner had been kidnapped by the petitioner and his wife in connivance with each other and they were present near 'Alpha One' with intent to sell him. A raid was conducted and the petitioner along with his wife were arrested from the informed place. They were interrogated and suffered disclosure statements admitting their involvement in the crime. On the basis of disclosure statement suffered by the petitioner, one Sunny was also nominated as an accused. Offences punishable under Section 143 of the BNS and Section 84 of the Juvenile Justice (Care and Protection of Children) Act, 2015 were added, whereas offence under Section 97 of the BNS was deleted. Investigation now stands completed.

4. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. Infact, the petitioner had taken the son

of the complainant with her permission to play and had gone to his rented house. Her son was never kidnapped by him. He had sent her son back to her house immediately after coming to know about the fact that she had lodged an FIR. He is in custody since long. The trial will take considerable time to conclude. His further incarceration would not serve any useful purpose. His antecedents are clean. Co-accused, Gurpreet Kaur, has already been extended benefit of bail. On parity, he too deserves to be given the same benefit. It is, therefore, argued that he deserves to be extended the benefit of bail.

5. Per contra, learned State counsel has argued that keeping in view the gravity of the allegations as levelled against the petitioner, he does not deserve to be extended the benefit of bail.

6. This Court has heard the rival submissions made by learned counsel for the parties.

7. The petitioner is alleged to have kidnapped/abducted the son of the complainant with an intent to sell him further for the purpose of human trafficking. The allegations make out a *prima facie* case for commission of subject offences against him. However, he remained in custody for a period of over 11 months and 17 days. The trial will take considerable time to conclude as no prosecution witness has been examined so far. Therefore, keeping in view the aforementioned facts and circumstances and on the ground of parity, this Court is of the considered opinion that no useful purpose would be served by keeping the petitioner in custody anymore. Accordingly, the petition is allowed and the petitioner is ordered to be released on regular bail, subject to his furnishing personal as well as surety

bonds to the satisfaction of the trial Court/Duty Magistrate concerned. However, it will be open for the prosecution to apply for cancellation of bail in case the petitioner is found involved in any other subsequent case.

8. It is, however, clarified that the observations made herein above are only for the purpose of deciding the present petition and the same shall have no bearing on the merits of the case.

9. Since the main petition has been allowed, pending application, if any, is rendered infructuous.

20.03.2026
harjeet

(MANISHA BATRA)
JUDGE

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