

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

(219)

CRM-M-47246-2025 (O&M)

Date of Decision: 16.01.2026

NAVJOT SINGH ALIAS JYOTI

.....Petitioner

Versus

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MS. JUSTICE KIRTI SINGH

Present: Mr. Talwinder Singh, Advocate for the petitioner.

Mr. Luvinder Sofat, Sr. DAG, Punjab.

Mr. Rahul Vijay Singh Chugh, Advocate
for the complainant.

KIRTI SINGH, J. (ORAL)

1. The jurisdiction of this Court under Section 483 BNSS has been invoked for grant of regular bail to the petitioner in case FIR No.59 dated 07.04.2024 under Sections 376, 420, 468, 465, 471 and 120-B of IPC, registered at Police Station Lambi, District Shri Muktsar Sahib.

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

“Copy of application To, The Hon'ble SSP, Shri Muktsar Sahib. Subject: Application for taking action against: (1) Navjot Singh son of Gurmail Singh, (2) Baljinder Kaur wife of Gurmail Singh (mother of accused No. 1) Resident of Khote, Tehsil Nihal Singh Bala, District Moga (3) Ranjit Singh alias Bittu Resident of Canada (maternal uncle [Mamma] of Accused No: 1). Sir, it is requested that: 1) That an application No. 578 P.C. 4/23 was submitted against the said mentioned accused on dated 18.07.2023 which was marked by you to Women's Cell Shri Muktsar Sahib for enquiry. 2) That on dated 04.08.2023, Navjot Singh along with his mother Baljinder Kaur and two persons residents of village Rauke Kalan came and we had a conversation about the money Navjot Singh had obtained from us on the pretext of sending me to Canada. Then I said that in case money be given to me then I will not take any action on the application moved regarding money. 3) That it was agreed upon it that our 32 lakh rupees will be paid by Navjot Singh in two installments which he did not pay within the time fixed. 4) That no compromise was affected between us regarding complaint of



rape committed by Navjot Singh. 5) That later on I found that Woman cell has dismissed my entire complaint. 6) That on dated 04.08.2023 an affidavit of accused no.1, regarding agreement of money, was given to me and an affidavit from me was given to me that if he does not pay me then I will take action against him regarding money. 7) That the photo copy of my affidavit got written by the said person is attached. From reading of the same, it is clear that the compromise was only regarding money dispute which Navjot Singh has not fulfilled. 8) That perusal of affidavit given by Navjot Singh clearly shows that the compromise is only regarding money and it is also written in his affidavit that if he refused then xxxxx can take action against him. Therefore, complaint is hereby submitted with request that action be taken against the accused on my application dated 18.07.2023 and justice be given to me. It would be grateful. Sd/- xxxxx Daughter of Gamdur Singh Resident of Village Bhullarwala District Sri Muktsar Sahib 82848xxxx dated 22.09.2023, application no. 927 PC-4/23 dated 25.09.2023 +259 PC-9/24 dated 28.03.2024 wherein Hon'ble SSP has written, "DSP LAMBI (BN) look into the matter & report within 7 days Sd/-, Sr. Supdt. Police Sri Muktsar Sahib 25.09.2023". After enquiry, Hon'ble DSP Lambi has written in his report."

3. Learned counsel for the petitioner *inter alia* submits that the petitioner has been falsely implicated in the instant FIR at the instance of the complainant, a mature and qualified woman, aged about 30 years. It is submitted that the FIR in the instant case was registered after a delay of about 8 months, that too by levelling vague allegations, particularly with respect to the offence under section 376 IPC. There is infact no direct evidence that points towards the complicity of the petitioner. Rather, the statements of the prosecutrix suffer from material inconsistencies, and indicate that a purported financial dispute has been given the colour of criminality. Moreover, the material witnesses have been examined before the learned trial Court. The co-accused in the instant case has also been granted the concession of regular by this Court vide order dated 02.01.2025 in CRM-M-64289-2024. He further submits that the petitioner, aged about 29 years, has already undergone an actual custody of 1 year, 8 months and

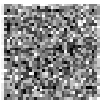


4. *Per contra*, learned State counsel has vehemently opposed the submissions made by the learned counsel for the petitioner. He states that the petitioner was actively involved in the commission of the offence. He has filed custody certificate in Court today and the same is taken on record. As per custody certificate, the petitioner has undergone an actual custody of 1 year, 8 months and 23 days. Investigation is complete. The final report under Section 173 Cr.P.C. was presented before the concerned Court. The charges were framed on 12.08.2024 and out of a total of 28 prosecution witnesses, six have been examined. She submits that in view of the serious allegations against the petitioner, he is not entitled to the concession of regular bail.

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

6. Admittedly, the charges were framed on 12.08.2024 and out of total 28 prosecution witnesses, only 6 have been examined till date. The petitioner has undergone actual custody of 1 year, 8 months and 23 days, and there is no other criminal case registered against him. The material witnesses have been examined before the learned trial Court. The veracity of the allegations leveled against the petitioner shall be established during the course of the trial. No useful purpose shall be served by further detention of the accused-petitioner. Keeping the petitioner in further detention without the prospect of the trial being concluded in the near future, would be violative of his rights under Article 21 of the Constitution of India including the right to speedy trial, and is against the principle "Bail is a rule, jail is an exception" as elucidated in the judgment of Apex Court in "***Dataram Singh vs. State of Uttar Pradesh and another***", (2018) 3 SCC 22.

7. Without commenting anything on the merits of the case, lest it may prejudice the trial, the present petition is allowed and the petitioner is



ordered to be released on regular bail on his furnishing adequate bail/surety bonds to the satisfaction of the concerned learned trial Court/Duty Magistrate. The petitioner shall also abide by the following 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.
8. 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.
9. However, nothing stated above shall be construed as a final expression of opinion on the merits of the case and the trial Court would proceed independently of the observations made in the present case which are only for the purpose of adjudicating the present bail petition.
10. Pending miscellaneous application(s), if any, also stands disposed of.

(KIRTI SINGH)
JUDGE

January 16, 2026
Ithlesh

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