



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

(110)**CRM-M-65329-2025****Date of Decision: 12.05.2026**

KURBAN

.....Petitioner

Versus

STATE OF HARYANA AND ANOTHER

.....Respondents

CORAM: HON'BLE MS. JUSTICE KIRTI SINGH

Present: Mr. Chetan Juneja, Advocate for
Mr. Pardeep Sihmar, Advocate
for the petitioner.

Ms. Saumya Ahluwalia, Sr. DAG, Haryana.

KIRTI SINGH, J. (ORAL)

1. The jurisdiction of this Court under Section 483 of BNSS has been invoked for grant of interim bail to the petitioner in case FIR No. 621 dated 14.09.2025 under Section 69 of BNS, registered at Police Station Sadar, Gurgaon.

2. Vide order dated 19.11.2025, a Coordinate Bench of this Court, while noticing the submissions that the petitioner and respondent No.2 were in a consensual relationship and their marriage was fixed for 23.11.2025, had granted interim bail to the petitioner. The relevant portion of the said order reads as under:

“The present petition has been filed under Section 483 of BNSS for grant of interim bail to the petitioner in the FIR No.621 dated 14.09.2025 under Section 69 of BNS registered at Police Station Sadar Gurgaon which has been lodged only on account of certain misunderstandings between the parties as petitioner and respondent no.2 were in consensual relationship and their marriage is now fixed for 23.11.2025.

The prosecutrix is present in Court and has submitted that contents of FIR are incorrect since they were living in a live-in-relationship and both are now willing to solemnize marriage. Therefore, she has no objection if interim bail is granted to the petitioner.



Learned State counsel on instructions from investigating officer S.I. Joginder submits that antecedents of the prosecutrix are verified, however, he is not in a position to submit as to whether the allegations are correct or false.

Be that as it may, considering the fact that the petitioner and the prosecutrix are getting married on 23.11.2025, the petitioner is granted interim bail from 21.11.2025 till 09.12.2025. He shall surrender before the Jail Authority on 09.12.2025 before 04:00 P.M.

List on 08.12.2025.”

3. Subsequently, vide order dated 08.12.2025, this Court was apprised that the petitioner and the prosecutrix had solemnized marriage and were residing together and, as noticed by the Court, had also been blessed with a girl child. Accordingly, the interim protection granted to the petitioner was extended from time to time and continues to remain in operation till date.

4. Today, learned counsel for the petitioner, on oral request, prays that in view of the peculiar facts and circumstances of the case and the continued operation of interim bail, without any allegation of misuse thereof, the interim protection granted to the petitioner be made absolute and the present petition be treated as one for grant of regular bail.

5. Learned State counsel, on instructions from the Investigating Officer, has not disputed the factum of marriage. On a pointed query put to the Learned state counsel, it has not been disputed that the petitioner has not misused the concession of Interim Bail granted to him.

6. Heard.

7. Reverting to the case in hand, it is borne out from the record that the challan was presented on 20.12.2025 and the charges are yet to be framed. The petitioner has already remained in actual custody for a period of 01 month and 01 day. It is also not disputed that he has no criminal antecedents and is not involved in any other case. Moreover, 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.

8. Accordingly, without commenting upon the merits of the case, but considering the peculiar facts noticed hereinabove, the stand of respondent No.2/prosecutrix recorded in the earlier orders and the fact that the concession of interim bail has remained operative without misuse, the present petition is allowed. Accordingly, the interim bail granted to the petitioner vide order dated 19.11.2025 and continued thereafter from time to time is made absolute. 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.

9. 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.



10. 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.

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

(KIRTI SINGH)
JUDGE

May 12, 2026
Ritika

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