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

CRM-M No.67221 of 2025

Date of Decision: 18.03.2026

Mohammad Frahim Siddiqui

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

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

Mr. Raj Karan Singh, Asstt. A.G., Punjab.

Mr. Kulwinder Singh Lakhanpal, Advocate
for the complainant.

RAJESH BHARDWAJ, J. (ORAL)

1. Present petition has been filed praying for the grant of regular bail to the petitioner in case bearing FIR No.252, dated 23.09.2025, under Sections 140(3), 3(5), 140(1) of BNS (Sections 25-54-59 of Arms Act added later on), registered at Police Station Dharamkot, District Moga.
2. Succinctly, the facts of the case are that FIR in the present case was got registered on the statement of complainant, namely, Vinod Kumar son of Mohan Lal. It was alleged that the complainant was residing in a rented accommodation near his office and due to the same, his wife, Meena Kumari along with the children had left the house without disclosing anything to the complainant with Mohammad Frahim Siddiqui

(petitioner) and was residing with him. It was alleged that one month ago, the petitioner called the complainant and threatened him by saying that Meena Kumari be sent with him with divorce papers otherwise he would cause harm to him and the complainant replied that Meena Kumari had already left him and he does not know anything about her. It was alleged that on 23.09.2025, when the complainant was going to drop his son, namely, Sarthik to school, then, a silver coloured Toyota Etios vehicle was parked near the gym in which three persons were there. At about 08:30 A.M., the complainant went a little ahead of his son, Sarthik and Sarthik was behind him. When, Sarthik reached near the vehicle, the people sitting in the vehicle put his son in the car and took him with them. It was alleged that Sarthik shouted and said that, it was Mohammad Franhim Siddiqui (petitioner) and he could identify all of them in case they came in front of the complainant. Thus, the request was made to take legal action against the accused. On the basis of the same, the FIR was registered. On registration of the FIR, the investigation commenced. Resultantly, the petitioner was arrested on 23.09.2025. On completion of the investigation, the challan has been presented. The petitioner approached the Court of learned Additional Sessions Judge, Moga praying for the grant of regular bail. However, after hearing both the sides and finding no merit in the same, the learned Additional Sessions Judge, Moga dismissed the bail application filed by the petitioner vide order dated 27.10.2025. Hence being aggrieved, the petitioner is before this Court praying for grant of regular bail by way of filing the present petition.

3. Learned counsel for the petitioner has contended that the



petitioner has been falsely implicated in the present case. He has submitted that from the bare reading of the allegations made in the FIR, it is apparent that the complainant has specifically alleged in the FIR that his wife along with the children was living with the petitioner. He has submitted that on account of the same, there was a dispute between the petitioner and the complainant. He has submitted that wife of the complainant and his children were living with the petitioner with their consent. He has submitted that the FIR was lodged by the complainant as he was nurturing a grudge against the petitioner. To buttress his arguments, learned counsel for the petitioner has submitted that the petitioner along with the child, namely, Sarthik Mahajan, were recovered from Prayagraj, i.e. the native place of the petitioner as well as the complainant. He has further submitted that now both the sides have amicably resolved their outstanding issue by way of compromise and in the compromise, he agreed that the complainant would take divorce from his wife. He has submitted that in the attending facts and circumstances, the offences as alleged against the petitioner are not even made out. He has further submitted that the petitioner has no criminal antecedents as he has never been involved in any other case. He has submitted that the petitioner is behind bars from the date of his arrest, i.e. 23.09.2025. He has submitted that in the facts and circumstances, the petitioner deserves to be granted regular bail.

4. Learned counsel for the complainant has affirmed the submissions made by learned counsel for the petitioner. He has submitted that the matter has been amicably resolved by the complainant with the petitioner and the complainant would take the divorce from his wife as per



the terms and conditions of the compromise arrived at between the parties.

5. *Per contra*, learned counsel for the State has vehemently opposed the submissions made by counsel for the petitioner. He has submitted that the kidnapped child is 15 years of age. He has submitted the statement of child was recorded under Section 164 Cr.P.C. wherein he alleged that he was kidnapped by the petitioner. He, on instructions, has submitted that the investigation is complete and challan has been presented and the case is now committed to the learned trial Court concerned. He has produced custody certificate of the petitioner today in the Court, which is taken on record.

6. Heard.

7. After hearing counsel for the parties and perusing the record, it is deciphered that primarily the dispute in the present case is between the petitioner and the complainant. Wife of the complainant along with the children is living with the petitioner. As submitted before this Court, both the sides have now resolved their issue by way of compromise. The complainant and his wife have decided to take the divorce. The petitioner is behind bars since the date of his arrest, i.e. 23.09.2025. Custody certificate produced would show that the petitioner has suffered an incarceration of 05 months and 16 days as on 17.03.2026. It further reflects that the petitioner is not involved in any other case. Investigation is complete and the challan stands presented.

8. The veracity of the allegations would be assessed only after the conclusion of the trial and on the appreciation of evidence to be led by both the parties before the trial Court. This Court would refrain itself from

commenting anything on the merits of the case. The trial of the case will take sufficient long time. Keeping in view the arguments raised by both the sides and perusing the record, this Court is of the opinion that learned counsel for the petitioner succeeds in making out a case for grant of regular bail to the petitioner.

9. Accordingly, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate.

10. Nothing said herein shall be treated as an expression of opinion on the merits of the cases.

18.03.2026

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(RAJESH BHARDWAJ)
JUDGE

Whether Speaking/Reasoned :	Yes/No
Whether Reportable :	Yes/No