

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

(218)

**CRM-M-1279-2026  
Date of Decision: 19.1.2026**

Sonu Ram

.....Petitioner

Versus

State of Punjab and others

.....Respondents

**CORAM: HON'BLE MS. JUSTICE KIRTI SINGH**

Present: Mr. B.S.Aulakh, Advocate  
for the petitioner.

Ms. Aakanksha Gupta, AAG, Punjab.

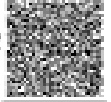
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**KIRTI SINGH, J. (ORAL)**

1. The jurisdiction of this Court under Section 483 of BNSS, 2023 has been invoked for grant of regular bail to the petitioner in case FIR No. 228 dated 25.10.2023 under Sections 363 and 366-A IPC, registered at Police Station Lambi, District Sri Muktsar Sahib.

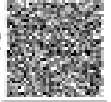
2. The translated version of the FIR is reproduced below:-

*“Statement of Sahib Ram son of Parkash Ram son of Mangla a Ram, resident of Kakhawali, aged approximately 50 years, Mobile No.: 97802-xx xx: I am resident of the aforementioned address and work as a daily wage labourer. We are three brothers the eldest being Rampal, followed by myself, and the youngest Harman Ram. Among us, Rampal has passed away. I have been married to Krishna Devi daughter of Doda Ram, resident of Odki, District Ganganagar, for approximately 32 years. I have six daughters and one son. The eldest daughter is xxxxxx, aged approximately 22 years; next to her is xxxxxx, aged approximately 21 years; next to her is xxxxxx, aged approximately 19 years; then xxxxxx, whose date of birth is 21.06.2007; followed by Sukhpreet Kaur, aged approximately 13 years; next is Rajni Devi, aged approximately 10 years; and the youngest is my son Jeet Ram, aged approximately 9*



*years. xxxxxx, xxxxxx and xxxxxx are married, and the remaining children are unmarried. My daughter xxxxxx is studying in the 9th class at the Government School, Kakhawali. Sonu Ram is the son of my uncle Dara Ram. Due to the death of Sonu Ram's mother, he had been living at my house for the past approximately 10 to 12 years. On the night of 23.09.2023, I had gone to irrigate the fields. When I returned home after irrigating the fields, I found that my daughter xxxxxx was not at home. Upon this, I began searching for my daughter in the nearby areas and among relatives on my own, but I was unable to find my daughter xxxxxx anywhere. Upon my inquiry, I have come to know with certainty that Sonu Ram son of Dara Ram, resident of Kakhawali, in collusion with his relative Aadu son of Rajinder, resident of Ajamwala (Abohar), lured and misled my minor daughter xxxxxx under the false pretext of marriage and took her away. Today, I, along with Baldev Singh son of Dalip Singh, resident of Kakhawali, have come to the police station to report the matter. Action be taken against Sonu Ram and Aadu Uktaan, and my daughter be searched for. I have stated my statement to you, which has been heard and found correct. ”*

3. Learned counsel for the petitioner *inter alia* submits that the petitioner has been falsely implicated in this case on the statement of the complainant, levelling allegations that the petitioner enticed away her daughter on the false pretext of marriage. In fact, the parents of the prosecutrix wanted to marry her with someone else, therefore, she left her house and later on returned back. It is further submitted that there is no evidence that point towards the complicity of the petitioner. Moreover, there is a delay of 4 days in registration of the present FIR. It is also submitted that the prosecutrix has been examined before the learned trial Court. However, she has not supported the case of the prosecution. Reliance in this regard has been placed on Annexure P-2. Learned counsel further submits that co-accused Aad Ram @ Aadhu Ram has already been granted the concession of regular bail by this Court on 12.9.2025 passed in CRM-M-

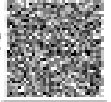


48462-2025. He further submits that the petitioner has undergone an actual custody of 08 months and 06 days and there is no other criminal case registered against him.

4. *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 08 months and 06 days. The learned State counsel, on instructions from the investigating officer concerned, submits that in the present case, charges were framed on 18.8.2025 and out of total 19 prosecution witnesses, 02 have been examined till date. 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 18.8.2025 and out of total 19 prosecution witnesses, only 02 have been examined till date. The material witness i.e. the prosecutrix already stands examined, but she has not supported the case of the prosecution. The co-accused has already been granted the concession of regular bail. The petitioner has undergone actual custody of 08 months and 06 days, and there is no other criminal case registered against him. The veracity of the allegations levelled 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



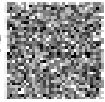
Article 21 of the Constitution of India including the right to speedy trial, and is against the principle “Bail is a rule, jail is an exception” as elucidated in the judgment of Apex Court in **“Dataram Singh vs. State of Uttar Pradesh and another”, (2018) 3 SCC 22.**

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 19, 2026  
Gurpreet Singh

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