



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

(137)

**CRM-M-72446-2025**  
**Date of Decision: 23.2.2026**

Karan

.....Petitioner

Versus

State of Punjab and others

.....Respondents

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

Present: Mr. Chetan Kapoor, Advocate  
for the petitioner.

Mr. Yadwinder Singh, AAG, Punjab.

Mr. R.S.Dhillon, Advocate  
for respondents No. 2 and 3.

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

1. This is the third petition for grant of regular bail to the petitioner in case FIR No. 29 dated 19.2.2025 under Sections 137(2) and 96 of BNS, 2023, registered at Police Station Kotwali Patiala, District Patiala.
2. The earlier two petitions filed by the petitioner seeking regular bail were dismissed as withdrawn on 12.9.2025 and 12.12.2025.
3. The translated version of the FIR is reproduced below:-

*“At this time, a written statement of Lakhwinder Singh son of Late Kehar Singh, resident of village Vadda Araimajra, Patiala, aged about 45 years, mobile no. 7814882258, was recorded by ASI Gurmail Gir 2928, Police Station Kotwali Patiala, for registering a case against Karan son of Chotte Lal, resident of village Singahi, Police Station Singahi, District Lakhimpur (U.P.), at present resident of Mahindra Complex, Kheri Gujran Road, Patiala, which was received at the police station through Constable Kuldeep Singh 1390. The substance of this statement is as follows: "it is submitted*



*that I am a resident of the above-mentioned address. I do daily wage labour work. My marriage took place in the year 2005 with Rajwinder Kaur, daughter of Gurdev Singh, village Gharam, Police Station Julka, District Patiala. After marriage, two daughters and one son were born to us. The eldest daughter's name is xxxxx, aged about 17 years 7 months; the younger daughter Simran, aged about 15 years; and the youngest son Sarandeep Singh, aged about 10 years. My daughter xxxxx date of birth is 17-07-2007. She was studying in 12th class at Government Girls Senior Secondary School, Old Police Line, Samania Gate, Patiala. Now, due to her 12th class final exams, she had been freed from school for exam preparation. Since the month of January 2025, my daughter Muskaan, along with her studies, was doing private work at Deluxe Showroom near Khaddar Bhandar, Patiala. On date 17-02-2025, the girl xxxxx went in the morning as usual for work to Deluxe Showroom near Khaddar Bhandar, Patiala, but the girl xxxxx did not return home in the evening. Then I went to the owner of Deluxe Showroom near Khaddar Bhandar, Patiala, and inquired about girl xxxxx. He told me that girl xxxxx had not even come to work on date 17-02-2025. Then I searched for girl xxxxx in Patiala and among relatives, but girl xxxxx has not been found by me till today. My daughter xxxxx operated mobile number 7681930342. I also called girl xxxxx phone, but due to the phone being switched off, conversation with girl xxxxx could not take place. Upon inquiry, it has come to my knowledge that my daughter xxxxx has been taken away by Karan son of Chhote Lal, resident of village Singahi, Police Station Singahi, District Lakhimpur (U.P.), who was residing in someone's house at Mahindra Complex, Kheri Gujran Road, Patiala. Karan was also doing job at Deluxe Showroom near Khaddar Bhandar, Patiala. This boy Karan has eloped with my above-mentioned daughter xxxxxx by giving pretext of marriage. Legal action may kindly be taken against the above-mentioned Karan." This statement has been given by me in writing in the presence of my wife Rajwinder Kaur. It has been read out to me and found correct."*

4. 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 petitioner and the prosecutrix were well known to each other. It is also submitted that in the statement of the prosecutrix recorded under Section 183 of BNSS, she has not supported the case of the prosecution. The said statement is reproduced as below:-

*“I was working in Deluxe Fashion Shop. It was about one month of me working there, wherein one boy Karan was working from past 1-2 years. After few days of joining work, I talked with him. It was about 1 ½ month of us talking and in the meantime, a marriage proposal came for me and my parents asked me to marry as per their wish. I refused for that marriage proposal. I wanted to marry Karan only. I shared this issue with Karan, who said to me that I will talk with your mother. Then he said that I have talked with your mother. When I asked my mother, she said that Karan has not talked about anything with me. I told my parents that if I will solemnize marriage with Karan only. Thereafter, me and Karan with our wish, eloped. Both of our parents did not know about this thing. We went to Lucknow on 17.02.2025. Karan had taken one room in Lucknow, wherein we resided as friends. Karan has not done any forceful thing with me. He used to stay away from me. He neither came close to me nor I went close to him. We had discussed one thing that Karan said that we will call after one month and will go to Patiala. We came back this Saturday.”*

5. Learned counsel further submits that subsequently, the matter was also compromised between the parties. He further submits that the petitioner has undergone an actual custody of 11 months and 19 days and there is no other criminal case registered against him.

6. Learned counsel for respondent No. 2 has not disputed the averments made by the learned counsel for the petitioner.

7. *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



per custody certificate, the petitioner has undergone an actual custody of 11 months and 19 days. The learned State counsel, on instructions from the investigating officer concerned, submits that in the present case, challan was presented on 27.4.2025 and the charges are yet to be framed. He submits that in view of the serious allegations against the petitioner, he is not entitled to the concession of regular bail.

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

9. On a perusal of the case in hand, it transpires that the petitioner is behind the bars for the last 11 months and 19 days. Investigation is complete. The final report under Section 173 Cr.P.C. was presented before the learned Court concerned and the charges are yet to be framed. 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.**

10. 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.

11. 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.

12. 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.

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

**(KIRTI SINGH)**  
**JUDGE**

**February 23, 2026**  
Gurpreet Singh

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