



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

CRM-M-72592-2025 (O&M)

Reserved on: 18.02.2026

Pronounced on: 20.02.2026

Uploaded on: 20.02.2026

KULDEEP KUMAR

...Petitioner

V/S

STATE OF HARYANA

...Respondent

CORAM: HON'BLE MS. JUSTICE SHALINI SINGH NAGPAL

Argued by: Mr. Sahil Vashishat, Advocate
for the petitioner. (through video conferencing)
Mr. Sukhbeer Singh, DAG Punjab.

Mr. Harpal Singh Sidhu, Advocate
for the complainant.

SHALINI SINGH NAGPAL, J.

1. Petitioner seeks regular bail in case arising out of FIR No. 27 dated 27.09.2025 under Sections 115, 351(3), 69 Bharatiya Nyaya Sanhita, 2023, Women Police Station Dabwali, District Dabwali, Dirsra. This is the first petition for regular bail.

2. Prosecutrix aged 30 years stated that she had divorced her husband and thereafter, started residing in village Kheowali, District Sirsa. She worked as a domestic help. Kuldeep son of Devi Lal met her at Odhan Hotel. He asked her to marry him and began talking to her. Thereafter, they started meeting each other. In August 2022, he took her to a house in Mandi Kalanwali where he forced her on to a cot and developed physical relations with her. When she asked him why he did so, he said he would marry her. She stayed with Kuldeep



in the house for a few months, where Kuldeep made physical relations with her. Whenever she asked him to marry her, Kuldeep made excuses on one pretext or the other. When she repeatedly asked him to solemnize marriage, he took her to a village in Chormar, where she learnt that Kuldeep was already married, had three children and his wife remained ill. When she confronted him, he said he loved her and would marry her. He told his family in her presence that she was wife of his dead friend, would live with them and gave her a place in the backyard. For a few days, he continued to develop physical relations with her. If she tried to speak out, he would beat, intimidate and threaten her. He stayed with Kuldeep for some days out of fear and left the house when she got the opportunity. After 10-15 days, Kudeep again threatened her and brought her back home. He developed physical relations with her and kept on beating her. Till 26.09.2025, he had been making physical relations with her.

3. Learned counsel for the petitioner submits that prosecutrix was a mature 30 years old, who was in a live-in relationship with the petitioner for 03 years before registration of the FIR. On a previous occasion, while living with the petitioner, she left with one Sunil son of Sukh Ram on 21.10.2024 of her free will and swore an affidavit that from that day onwards, she would reside with Sunil and would have no concern with Kuldeep Kumar, with whom she was living with her free will. Learned counsel further submits that after getting the case registered, prosecutrix had again sworn an affidavit that she was fully capable of understanding her welfare and interest; that she was living with Kuldeep Kumar in live-in relationship of her free will, without any pressure or

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inducement and that Kuldeep Kumar never concealed anything from her nor made any promise to marry her. Learned counsel further submits that as per affidavit furnished, FIR was lodged out of anger and emotional distress when disputes arose but now the complainant did not wish to prosecute the case. It is argued that false FIR was registered just to blackmail the petitioner and pressurize him. Investigation of the case was complete. Therefore, petitioner, who was in custody since 28.09.2025, deserved to be enlarged on regular bail.

4. Learned State counsel has filed status report, custody certificate and assisted by learned counsel for the complainant opposed the prayer for regular bail on the ground that petitioner was specifically named in the FIR and also in statement of the prosecutrix recorded under Section 183 BNSS. Though charges were framed, prosecution witnesses were yet to be examined and in case of release on bail, petitioner may misuse the concession of bail, considering his involvement in 05 other cases under the NDPS Act.

5. Pendency of other cases cannot be the only ground to refuse bail to the petitioner, who is in judicial custody for the last 04 months and 19 days. Concededly, he has not been convicted in any of those cases. Prosecutrix, who lodged the FIR, is a mature 30 years old lady. It is her own case that for more than three years, she was in a consensual relationship with the petitioner. It is not her version in the FIR that petitioner had physical relations with her for the first time on the promise of marriage. Considering all relevant facts and circumstances of the case, documents brought on record by the petitioner, but without commenting on merits of the case, the petition is allowed. Petitioner-



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Kuldeep Kumar is ordered to be released on regular bail on his furnishing requisite bail bonds/surety bonds to the satisfaction of learned trial Court/Illaq Magistrate/Chief Judicial Magistrate.

6. Nothing observed hereinabove shall be construed as an opinion on merits of the case.

(SHALINI SINGH NAGPAL)
JUDGE

Reserved on: 18.02.2026
Pronounced on: 20.02.2026
Ajay Goswami

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