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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-73686-2025

Date of Decision: 13.01.2026

DEEPANSHU ALIAS DEEPU

... PETITIONER

VERSUS

STATE OF PUNJAB

....RESPONDENT

CORAM : HON'BLE MS. JUSTICE KIRTI SINGH

Present: Mr. S.S. Gill, Advocate
for the petitioner.

Mr. Luvinder Sofat, Sr. DAG, Punjab.

KIRTI SINGH, J. (ORAL)

1. This is the petition filed under Section 483 BNSS seeking grant of regular bail to the petitioner in case FIR No. 185 dated 26.08.2025 registered under Sections 137(2), 96 of BNS at Police Station Balongi, District SAS Nagar.

2. Learned counsel for the petitioner *inter alia* submits that the petitioner has been falsely implicated in the present FIR on the statement made by the father of the prosecutrix, levelling baseless allegations of enticement on the false pretext of marriage. It is submitted that the nomination of the petitioner is a result of personal enmity and suspicion, without any cogent evidence, medical or otherwise, to point towards his



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complicity. In fact, the prosecutrix had also refused to undergo her medical examination. Furthermore, purportedly the prosecutrix had gone missing on 20.08.2025 yet the instant FIR was lodged only on 26.08.2025, after an unexplained delay of nearly 06 days. The petitioner, aged about 22 years, has already undergone a custody period of 04 months and 16 days as an undertrial. There is no other case registered against him.

3 *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 filed the custody certificate in Court today. As per custody certificate, the petitioner has undergone an actual custody of 04 months and 16 days. There is no other case registered against him. Investigation is complete and, the challan was presented on 25.09.2025. All the prosecution witnesses are yet to be examined. However, he submits that in view of the serious allegations against the petitioner, he is not entitled to the concession of regular bail.

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

5. Admittedly, investigation in the instant case stands completed, and the challan was presented on 25.09.2025 . The petitioner has undergone actual custody of 04 months and 16 days and there is no other criminal case registered against him. The veracity of the allegations leveled 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



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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.***

6. 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 her from disclosing such facts to the Court or to any police officer or tamper with the evidence.

7. 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.

8. 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.



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

13.01.2026
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(KIRTI SINGH)
JUDGE

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