



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

CRM-M-34158-2025 (O&M)

Reserved on:- 09.7.2025

Date of Decision: 14.7.2025

Lovepreet Singh

.....Petitioner

Versus

State of Punjab and another

.....Respondent

CORAM: HON'BLE MS. JUSTICE KIRTI SINGH

Argued by: Dr. Anmol Rattan Sidhu, Senior Advocate with
Mr. Shiv Kumar Sharma, Advocate
for the petitioner.

Ms. Aakanksha Gupta, AAG, Punjab.

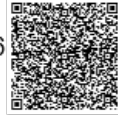
Mr. Tanvir Grewal, Advocate
for respondent No. 2.

KIRTI SINGH, J.

1. This is the second petition filed under Section 483 of BNSS, 2023 for grant of regular bail to the petitioner in case FIR No. 113 dated 26.7.2024 under Sections 115(2), 126(2), 351(2), 67 BNS, 2023 and Section 64 BNS (added later on), registered at Police Station Lehra, District Sangrur.

2. The contents of the FIR are reproduced hereinafter:-

“I, xxx(name withheld) wife of Lovepreet Singh, daughter of Ranjit Singh, resident of Ward No. 12, Lehragaga, District Sangrur, presently living with Gurpreet Singh at Dariyapur, Police Station Sadar Budhlada, District Mansa, age approximately 23 years, state that I reside at the above address and do household work. On 07.09.2022, I got married to Lovepreet Singh, son of Ranjit Singh, resident of Ward No. 12, Lehragaga. In my matrimonial home lived my husband Lovepreet Singh, my father-in-law Ranjit Singh, my mother-in-law Karamjeet Kaur, elder sister-in-law Gurpreet Kaur, and younger sister-in-law Amandeep Kaur. Gurpreet Kaur is



employed as a Sub-Inspector in the Punjab Police, and Amandeep Kaur is pursuing a nursing course in Barnala. My husband Lovepreet Singh was employed in the Army. My in-laws and husband used to quarrel and beat me without any reason. Out of fear, I stayed quiet and did not inform my parents. On 02.07.2024, my husband Lovepreet Singh returned home from the Army, and we later came to know that he had been discharged. On 05.07.2024, my husband, father-in-law Ranjit Singh, and sisters-in-law Gurpreet Kaur and Amandeep Kaur took me to the Munak court, where they made me sign certain documents stating they were applying for a part-time order to take me with them. The next morning, while I was eating, my mother-in-law Karamjeet Kaur added a white substance to the food, saying it was medicine brought by Gurpreet Kaur for menstruation. I consumed it, after which I felt dizzy. They continued mixing the white substance into my food daily. Later, my husband Lovepreet Singh started showing me obscene videos on his mobile and forced physical relations with me without my consent. On 08.07.2024, my sister-in-law Amandeep Kaur, who is studying nursing, attempted to inject me with something. When I refused, my husband Lovepreet Singh, mother-in-law Karamjeet Kaur, and sisters-in-law Gurpreet Kaur and Amandeep Kaur began beating me. When I tried to escape, my father-in-law Ranjit Singh grabbed me, tore my clothes, and said they wouldn't let me go. Then, Karamjeet Kaur, Ranjit Singh, Gurpreet Kaur, and Lovepreet Singh forcibly held me, and Amandeep Kaur injected me with some drug, which made me severely intoxicated. Gurpreet Kaur showed me a pistol and threatened to shoot me if I made any noise. Under the influence of the injection, they brutally beat me and caused injuries. The next day, when I regained some consciousness, I saw Sukpal Kaur (my cousin sister), her husband Chhajju Singh, and their daughter Kamalpreet Kaur in the house. Gurpreet Kaur gave me my phone and told me to call my parents and ask them to take me away. When I refused, she pulled my hair and hit my head against the wall. My husband Lovepreet Singh strangled me and forced me to call my family. Karamjeet Kaur, Amandeep Kaur, Sukpal Kaur, Chhajju Singh, and Kamaljeet Kaur all beat me together. Out of fear, I called my maternal uncle Sukhpal Singh and asked him to come and take me. Before I left, Gurpreet Kaur threatened me with



death if I told anyone. Later, they again injected me with 3 doses of drugs, and I lost consciousness. The next day, when I regained consciousness, my uncle Sukhpal Singh, along with the village Panchayat and relatives from Dariyapur, came and took me from my in-laws' house. Due to the state of intoxication, I was brought back to my parental home in Dariyapur. On 11.07.2024, when the effects of the drugs wore off, I started feeling pain in my body due to the injuries. My uncle Sukhpal Singh and my father Gurpreet Singh arranged transport and got me admitted to the Government Hospital, Budhlada, where I am under treatment. I informed my family about being forced by my in-laws to sign documents at Munak court. On inquiry, it was found that I had been tricked into signing divorce documents. My in-laws kept feeding me pills, and my mother-in-law used to say that she didn't want any child from me for at least 4 years. I have given this statement of my own free will after reading and understanding it. I request legal action be taken against the above-named persons.”

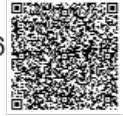
3. Learned senior counsel for the petitioner *inter alia* submits that the petitioner has been falsely implicated in this case on the statement of respondent No. 2, marriage of the petitioner with whom was solemnized on 7.9.2022. The crux of the allegations levelled against the petitioner are that he had established forceful physical relations with the respondent No. 2 after their divorce by way of mutual consent had been decreed. It was due to these allegations that charge under Section 64 BNS, 2023 was added against the present petitioner. However, it is submitted that the conduct of respondent No. 2 herself has been contradictory. On the one hand, complainant-respondent No. 2 challenged the decree of divorce, on the ground that the petitioner had obtained the said order by way of fraud, while subsequently also filing the present FIR against the petitioner. Further, there is a delay in lodging the present FIR, and allegations of demands for dowry or harassment do not find any mention therein. The medical evidence also does



not corroborate the gravity of the allegations as have been levelled. In the said regard, reliance has been placed on MLR (Annexure P-4). He further submits that the petitioner has been in custody for the last 08 months and 25 days.

4. Per contra, the learned counsel for the complainant has opposed the prayer made in the instant petition and submits that there are serious allegations against the petitioner. He submits that on 5.7.2024, the petitioner took respondent No. 2 fraudulently obtained the signatures of respondent No. 2 and obtained a divorce decree despite the parties cohabiting together prior to the alleged occurrence. Thereafter, he took respondent No. 2 along with him and raped her. She was also beaten by the petitioner and his family members, and it was on 10.7.2024 that she was brought to her parental home and thereafter admitted in the hospital. Even the MLR of respondent No. 2 discloses the presence of four injuries on her person, thereby corroborating the allegations levelled by the petitioner. Therefore, it is prayed that the instant petition be dismissed.

5. *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 25 days. She on instructions from the concerned investigating officer submits that challan has been presented on 16.11.2024 and charges were framed on 24.2.2025. She also submits that out of a total of 28 prosecution witnesses, 02 have been examined till date. She submits that in



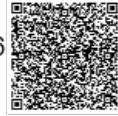
view of the serious allegations against the petitioner, he is not entitled to the concession of regular bail.

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

7. Admittedly, the petitioner is behind the bars for the last 08 months and 25 days. Investigation is complete. The final report under Section 173 Cr.P.C. was presented before the concerned Court and trial of the case has not made much progress as out of 28 prosecution witnesses, only 02 witnesses have been examined so far. There is no other case registered against him. The culpability, if any, would be determined at the time of 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.

8. 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.

9. 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.

10. 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.

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

(KIRTI SINGH)
JUDGE

July 14, 2025
Gurpreet Singh

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