



IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

206

CRM-M-53866-2024

Date of Decision: 10.02.2025

Sandeep Singh Bedi

.... Petitioner

Versus

State of Punjab

.... Respondent

**CORAM: HON'BLE MS. JUSTICE NIDHI GUPTA**

Present: - Mr. Navkiran Singh, Advocate for the petitioner.

Mr. Manmeet Singh Teji, AAG, Punjab.

Mr. GS Bawa, Advocate for the complainant.

**NIDHI GUPTA, J. (ORAL)**

The petitioner has filed the present 2<sup>nd</sup> petition under 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023, for grant of **regular bail** in case FIR No. 116 dated 06.06.2024 (Annexure P-1) registered under Sections 376, 354, 506 and 323 IPC at Police Station Sadar Amritsar, District Amritsar.

Learned counsel for the petitioner submits that the aforesaid FIR (Annexure P-1) was registered on the basis of an application/complaint moved by the victim herself making the allegations of rape against the petitioner. It is submitted that the petitioner has been totally falsely implicated in the present case as, it is the admitted case of the complainant/victim herself that the petitioner and the victim were in a live-in relationship since the year 2017.



In this regard, learned counsel for the petitioner refers to para No. 2 of the FIR (Annexure P-1, at page 19 of the paper-book) wherein the complainant/victim had stated that *'in 2017, I started visiting frequently Sandeep Singh and his family members.....that I was got influenced by mother's and Sandeep Singh's words and started living with them'*. Further, it has been alleged in para No. 6 of the FIR (at page No. 20 of the paper-book that *'on dated 12.04.2024, the afore-mentioned Sandeep Singh developed physical relations with me forcibly without my consent....'*

Learned counsel for the petitioner submits that the allegations levelled in the FIR are false and fabricated as there is no medical evidence to corroborate the story put forth by the complainant/victim. Moreover, the FIR was got registered on 06.06.2024 i.e. almost 02 months after the alleged date of occurrence on 12.04.2024. It is stated that at the time of occurrence, the complainant/victim was 30 years of age whereas the petitioner was 44 years old.

Further, it is submitted that the complainant is not appearing before the learned trial Court for recording her statement. In this regard, learned counsel for the petitioner has handed over in Court copies of last 03 *zimni orders* passed by the learned trial Court dated 02.12.2024, 17.12.2024 and 23.01.2025, which are taken on record. It is also pointed out by learned counsel for the petitioner that as per the last two *zimni orders* dated 17.12.2024 and 23.01.2025, the learned trial Court had directed learned counsel for the complainant to produce her in Court on the next date of hearing, however, to no avail. Meanwhile, the petitioner



is behind bars for almost 08 months. Thus, it is prayed that he may be released on regular bail.

*Per Contra*, learned counsel for the State assisted by learned counsel for the complainant vehemently opposes the prayer for grant of regular bail to the petitioner and submits that serious and specific allegations have been levelled by the victim against the petitioner. On instructions, learned counsel for the State has informed that out of total 15 prosecution witnesses, only 01 witness has been examined so far; and 14 witnesses remain to be examined.

Learned counsel for the complainant undertakes that the complainant/victim would appear before the learned trial Court on next date of hearing which is stated to be 13.02.2025.

Learned counsel for the State files custody certificate dated 08.02.2025 which is taken on record, as per which the petitioner has been in custody as an undertrial for a period of 07 months and 18 days.

I have heard learned counsel for the parties.

Without commenting on merits of the case, however, keeping in view the totality of the facts and circumstances of the case, including: (a) custody period of 07 months and 18 days undergone by the petitioner as an undertrial; and (b) that out of total 15 prosecution witnesses, only 01 witness has been examined by the learned trial Court, so far, therefore, conclusion of trial will take considerable time, and no useful purpose would be served by further detention of the petitioner. Thus, the present petition is **allowed**.



The petitioner-Sandeep Singh Bedi S/o Harjit Singh, is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate, concerned.

However, it is made clear that nothing stated above shall be construed as an expression of opinion on the merits of the case.

**10.02.2025**

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**( NIDHI GUPTA )  
JUDGE**

**Whether speaking/reasoned    Yes/No**

**Whether Reportable            Yes/No**