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

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**CRM-M No.46278 of 2025
Date of Decision: 28.08.2025**

Kaptan Singh ... Petitioner

Versus

State of Punjab ... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Jatinder Pal Singh, Advocate,
for the petitioner.

Mr. Roshandeep Singh, AAG, Punjab,
for the respondent-State.

MANISHA BATRA, J. (Oral)

1. The present petition has been filed by the petitioner under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (For short "BNSS") seeking regular bail in the FIR mentioned below:-

FIR No.	Dated	Police Station	Sections
71	06.06.2025	Kulgarhi, District Ferozepur	143 and 144 of the Bharatiya Nyaya Sanhita, 2023 (For short "BNS")

2. Brief facts of the case relevant for the purpose of disposal of this petition are that the aforementioned FIR was registered on the basis of statement recorded by the complainant Ramandeep Kaur alleging that she had been deserted by her husband and had stayed at her parental house. Her parents had also died and her brother had sent her to

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Rajasthan with one Jyoti. The said Jyoti had left her at the house of her mother to do household work and she had stayed there for 11 years. On 13.05.2025, she was sold by Paramjit Kaur mother of Jyoti to the present petitioner for a sum of Rs.7000/-. The petitioner took her to his house where his family used to get household work done from her. She managed to flee from the house of the petitioner on 24.05.2025 and had met one Guravtar Singh and presently residing with his family. While alleging that Paramjit Kaur subjected her to cruelty and had illegally sold her to the petitioner, she prayed for taking action. After registration of FIR, investigation proceedings were initiated. The petitioner was arrested on 16.06.2025. Investigation qua him now stands completed.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. Infact, the complainant herself was unwell and had been brought by him to his house purely out of humanitarian concern. It was his wife who personally took care of her. However, his genuine act of kindness had been twisted into a false story by the complainant and he has been falsely implicated in this case. The ingredients for commission of offence punishable under Sections 143 and 144 of BNS for which he has been booked are not at all attracted qua him. He is in custody since 16.06.2025. The trial will take time. His further incarceration would not serve any useful purpose. It is, therefore, urged that he deserves to be released on bail.

4. Notice of motion.

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5. Mr. Roshandeep Singh, AAG, Punjab has advance notice of the petition and is ready to argue the matter. He has placed on record custody certificate of the petitioner as per which he does not have any criminal antecedents. It is argued by learned Assistant Advocate General, Punjab that the allegations against the petitioner are serious and hence, he does not deserve to be extended benefit of bail. It is, therefore, urged by him that the petition is liable to be dismissed.

6. This Court has considered the rival submissions.

7. The petitioner is alleged to have committed the offence of trafficking of the complainant and exploited her. The complainant was admittedly living with one Paramjit Kaur for over a period of 11 years. As per the allegations in the FIR itself, the complainant had been made to do household work by the petitioner. The allegations even if believed to be true, do not prima facie make out a case of human trafficking as there is nothing on record to suggest that the petitioner had exploited recruited, transported, harboured or had taken custody of the complainant by use of threat, force, abduction, abuse of power or by any inducement or that he had done so for the purpose of sexual exploitation. The petitioner is in custody since 16.06.2025. He has clean antecedents. The trial will take time to conclude. As such, this Court is of the considered opinion that no useful purpose would be served by keeping the petitioner in custody any more. Accordingly, the petition is allowed and the petitioner is ordered to be admitted to bail subject to his furnishing personal as well as surety bonds to

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the satisfaction of learned trial Court/CJM/Duty Magistrate concerned.

8. It is, however, clarified that observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

(MANISHA BATRA)
JUDGE

28.08.2025

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Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No