

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

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**CRM-M No. 5862 of 2023 (O & M)  
Date of Decision : 10.5.2023**

*Yuvraj Singh**..... Petitioner**versus**State of Haryana**..... Respondent*

**CORAM: HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA**

Present: Mr. Bhisham Kumar Majoka, Advocate, for the petitioner

Ms. Ankita Ahuja, AAG, Haryana

Mr. Rajesh Lamba, Advocate, for the complainant

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**TRIBHUVAN DAHIYA J. (ORAL):**

This is a petition under Section 439 Cr.P.C. seeking regular bail to the petitioner in case FIR No.393 dated 6.8.2022 under Sections 376 (2)(n), 376, 328 and 506 IPC, registered at Police Station City Ballabgarh, District Faridabad.

2. Briefly, as per the allegations levelled by the victim, aged about twenty one years, she met the petitioner in a tuition class. On 29.12.2021 at about 11:00/ 12:00 O'clock, when she came out from her college, the petitioner met her and offered a lift in his car. He served her a cold drink. After taking it, she felt dizziness and was taken to a hotel by the petitioner. There she was raped by him and her objectionable video was also recorded. She was dropped by him in front of her college later. After few days, co-accused Saurav sent her a message on Instagram telling that the petitioner had made a video of her and taken photographs also. Then she called the petitioner to a shop on 8.3.2022 and

requested him to delete the video as well as the photographs. On the same day, petitioner's friend, co-accused Saurav met her and asked for friendship. When she refused, he stated that her objectionable videos were with him and would be shown to her family. She was scared. Co-accused Saurav took her to hotel room on 21.4.2022 and 13.5.2022 and raped her. She was threatened not to disclose it to anybody or else she would be defamed or killed. Due to fear, she did not disclose it to anybody.

3. Learned counsel for the petitioner contends that the complainant is an adult and her relations with the petitioner were consensual. She willingly accompanied him to the hotel. The FIR has been lodged under pressure from her parents as is apparent from the photographs and the chats placed on record as Annexure P-2 and P-3. He further contends that the petitioner himself is a student aged about twenty three years and doing B.Voc. (Software Deployment). He has no criminal antecedents.

4. Learned State counsel, on instructions from ASI Babita, opposes the grant of bail on the ground that charges against the petitioner have already been framed on 9.1.2023. The complainant has supported the prosecution version in her statement under Section 164 Cr.P.C. also. She does not deny that none of the twenty witnesses has been examined so far. The petitioner is in custody since 26.8.2022 and has no criminal antecedents.

5. The submissions of learned counsel for the parties have been considered. Investigation of the case is already over, and trial will take some time to conclude as none of the prosecution witnesses has been examined so far. The petitioner is a young boy studying in a bachelor's course, and has no criminal antecedents. Therefore, no useful purpose will be served by confining him to custody any longer.

7. Accordingly, the petition is allowed. The petitioner is ordered to be released on bail to the satisfaction of the trial Court/Duty Magistrate concerned.

(TRIBHUVAN DAHIYA)  
JUDGE

10.5.2023.  
*Ashwani*

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