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

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Date of Decision:-23.07.2025

Abhishek

...Petitioner

Vs.

State of Haryana

...Respondent

CORAM:-HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present:- Mr. Aditya Yadav, Advocate for petitioner.

Mr. Viney Saini, AAG, Haryana.

AMARJOT BHATTI, J.

1. Petitioner – Abhishek has filed petition under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail in FIR No.90 dated 14.10.2024, under Section 64(2)(f), 123, 126, 332-B, 351(3) of BNS 2023, registered at Police Station Women Jhajjar, District Jhajjar.

2. As per facts of case, prosecutrix gave her statement that in July 2024, her neighbour Abhishek came to the house when she was alone and did wrongful act by threatening to kill her. She used to take coaching in Jhajjar. On 07.08.2024, he stopped her on the way and told her that he was having her photos and videos taken at her house, therefore she should accompany him otherwise, he will put those photos and videos on internet and would ruin her life. Out of fear, she accompanied him to a room near Shahidi Park where he again did wrongful act with her. On 10.10.2024,



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under compelled circumstances she accompanied him to Rohtak. There they met a woman in a park who gave her cold drink and *parathas* to eat. She was forced to consume the same and thereafter, she was little intoxicated. She was taken to the Court and got her signatures and clicked photographs to show that they were married. She was again ravished by Abhishek and he also demanded money from her. Thereafter, she was left at Rohtak Bus Stand by giving her threats. With these allegations, present FIR has been registered.

3. Learned counsel for petitioner denied the allegations levelled against him. It is pointed out that prosecutrix has lodged this FIR under pressure of her parents. They had performed marriage on 10.10.2024 at Sarv Samaj Marriage Mandal, Rohtak. Petitioner also annexed photographs of their marriage (Annexure P-3). No force was used on the prosecutrix. Regular bail application filed by petitioner was declined by learned Additional Session Judge, Jhajjar vide order dated 30.01.2025 (Annexure P-2). He is already facing trial. Statement of prosecutrix is also recorded as PW-1. Petitioner is behind the bars since 15.10.2024. He will abide by the terms and conditions of bail order. Therefore, his regular bail petition may be allowed.

4. Bail petition is opposed by learned counsel representing State. As per the status report, prosecutrix is 18 years old, therefore, major. Copy of her MLR is Annexure R-1 and statement of victim recorded under Section 183 of BNSS is Annexure R-3. On completion of investigation, challan was presented on 10.12.2024 and charges were framed on 20.03.2025. There are serious allegations against the petitioner. Therefore,



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he is not entitled to be released on regular bail.

5. I have considered the aforesaid factual position. The contents of FIR indicate that prosecutrix met petitioner number of times and also accompanied him to Rohtak. As per her version, she was threatened and blackmailed. On the other hand, it is the case of petitioner that their relationship was consensual and they had performed marriage. He has annexed photographs of marriage (Annexure P-3). Investigation was completed and challan is already presented and now the case is pending for prosecution evidence. Statement of prosecutrix has been recorded as PW-1 where she has confirmed the allegations. It cannot be ignored that petitioner is behind the bars since 15.10.2024. Trial in this case may take long time. Prosecution evidence and defence raised by petitioner will be considered by learned trial Court at appropriate stage. Since, statement of prosecutrix is recorded, therefore, there is no occasion for petitioner to influence her. Therefore, without expressing my mind on merits of the case, regular bail petition filed by petitioner – Abhishek is allowed. He is ordered to be released on bail on furnishing bail bonds and surety bonds to the satisfaction of trial Court/Duty Judge concerned.

6. Pending miscellaneous application(s), if any, stand disposed of accordingly as well.

23.07.2025

Sunil Devi

(AMARJOT BHATTI)
JUDGE

Whether speaking/reasoned:
Whether reportable:

Yes/No
Yes/No