



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

214

CRM-M-14097-2025

Date of decision : 21.05.2025

Sagar

.....Petitioner

versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE NAMIT KUMAR

Present: Mr. Arun Chander Sharma, Advocate for the petitioner.

Ms. Priyanka Sadar, A.A.G., Haryana.

Mr. Ajit Singh, Advocate for the complainant.

NAMIT KUMAR, J. (ORAL)

1. The petitioner has filed the instant petition under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail in case FIR No.384 dated 21.10.2024 registered under Sections 351(3), 62 & 65(1) of Bharatiya Nyaya Sanhita, 2023 and Section 6 of Protection of Children from Sexual Offence Act, 2012 at Police Station Sampla, District Rohtak.
2. Reply by way of an affidavit of Sh. Rajneesh Kumar, HPS, Deputy Superintendent of Police, Sampla, District Rohtak, on behalf of the respondent-State, has been filed in the Registry which is taken on record.
3. Learned counsel for the complainant has filed his power of attorney in the Court which is also taken on record.
4. Brief facts of the case are that on 21.10.2024, mother of the victim girl submitted a complaint to the police alleging therein that one



Sagar (the present petitioner) s/o Shishi resident of Village Bohar had been sexually exploiting her 16 years old daughter for the last about two years by allurement. On 17.08.2024, he had enticed her daughter away from home and taken her to the house of his friend on motorcycle, where he committed wrong act with her against her wishes. He also clicked her indecent photos and now, blackmailing and threatening her daughter to upload her photos on social media so as to continue to commit wrong act with her. One Ankit s/o Deepak was also involved in this matter as he was the mediator between Sagar and her daughter. Ankit was also making viral the photos of her daughter and tried to commit wrong act with her. When she apprised her son about the incident, her son tried to counsel Sagar but Sagar, Ankit and elder brother of Sagar threatened them with dire consequences. On the basis of the said complaint, the instant FIR was registered. After completion of all formalities of the investigation, the petitioner was arrested. During investigation, Ankit and Ashu (brother of the petitioner) were found innocent, and challan under Section 193 of BNSS, 2023 was filed against the petitioner before the Trial Court.

5. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in the present case. He submits that there is undue and unreasonable delay of 02 months in lodging the FIR and as per medical record, there is no internal and external injury. The FIR was registered against 03 accused and during investigation, 02 accused were found innocent. He submits that the victim girl, who has been examined before the Trial Court as PW-5, has not supported the case of the prosecution. To the same effect is the



statements of PW-11 complainant-mother of the victim girl and PW-8 father of the victim girl. He submits that the petitioner is in custody since 29.10.2024 and he is not involved in any other case. He further submits that investigation in the present case is complete; challan has been presented; charges have been framed and out of total 20 prosecution witnesses, only 10 have been examined so far. He further submits that the trial may take a considerable time to conclude, therefore, no fruitful purpose would be served by detaining the petitioner behind bars.

6. On the other hand, learned State counsel, assisted by learned counsel for the complainant, has vehemently opposed the grant of regular bail to the petitioner on the ground that the allegations against the petitioner are serious in nature. However, she conceded the fact that the investigation in the present case is complete; challan has been presented; charges have been framed and out of total 20 prosecution witnesses, 10 have been examined. She has also filed custody certificate dated 20.05.2025 in the Court which is taken on record. As per the custody certificate, the petitioner is in custody for the last more than 06 months and he is not involved in any other case.

7. I have heard learned counsel for the parties and perused the record.

8. Keeping in view the custody period of the petitioner, which is 06 months and 21 days and the facts that the victim girl, complainant, who is mother of the victim girl and her father have not supported the case of the prosecution in their statements recorded before the Trial Court; investigation is complete; challan has been presented; charges



have been framed; out of total 20 prosecution witnesses, 10 have been examined so far; the petitioner is not involved in any other case and the trial may take a considerable time to conclude, therefore, the petitioner is ordered to be released on regular bail during trial on his furnishing bail bonds/surety bonds to the satisfaction of Illaqa Magistrate/Trial Court.

- 9. The petition stands disposed of accordingly.
- 10. However, anything observed hereinabove shall not be treated as an expression of opinion on the merits of the case and is meant for the purpose of deciding the present petition only.

21.05.2025
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(NAMIT KUMAR)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No