



CRM-M-20852-2025 (O&M)

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

CRM-M-20852-2025 (O&M)

Date of Decision:- 01.05.2025

SANJAY

....Petitioner

Vs.

STATE OF HARYANA

...Respondent

CORAM:- HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present:- Mr. Sanchit Punia, Advocate for petitioner.

Ms. Nidhi Garg, AAG, Haryana.

AMARJOT BHATTI, J. (Oral)

1. Petitioner has filed instant petition under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of interim bail for the delivery of his wife in FIR No.635 dated 23.09.2024 under Sections 64 (2) (E), 65 (1), 351 (2) of the Bharatiya Nyaya Sanhita, 2023 and Section 6 of POCSO Act, 2012 registered at Police Station Azad Nagar, Hisar.

2. Learned counsel for petitioner argued that petitioner is falsely involved in aforesaid FIR (Annexure P-1). Wife of petitioner is pregnant and the Doctor has suggested cesarean delivery within 15 days. OPD slip of Sarvodaya Multispeciality and Cancer Hospital is Annexure P-2. There is nobody at home to take care of his wife at the time of delivery. Family of petitioner consists minor children and wife. Learned lower Court wrongly observed that there are other family members, who can take care of his wife. Family ID issued by Citizen Resource Information Department showing



wife and children as family members are Annexure A-1. In-fact, he is not on talking terms with his brothers and mother since long. All allegations levelled against him are false and no offence is made out. It is submitted that petitioner may be granted interim bail on account of the delivery of his wife.

3. Learned counsel representing State has opposed application filed by petitioner seeking interim bail. It is pointed out that statement of wife of petitioner has been recorded and it is confirmed that she is 9 months pregnant. As per her statement, her husband is having four brothers and two sisters. Her father-in-law has already expired. Her mother-in-law cannot walk and she is residing with her brother-in-law. Other brother-in-law Vinod is residing in their neighbourhood. She is living in the house along with her two daughters. She submitted that there is nobody to help her financially. Aforesaid facts are also confirmed by brother of petitioner namely Vinod and Ashok Kumar, Panch of village Arya Nagar, District Hoshiarpur. It is submitted that there are serious allegations against the petitioner. Wife of the petitioner can be looked after by the other family members. Therefore, interim bail of the petitioner is opposed.

4. I have considered the arguments and have gone through the record. Copy of FIR registered against petitioner is Annexure P-1, which is registered on the statement of complainant 'R' whose minor daughter 'S' studying in 8th class was allegedly sexually exploited by Doctor Sanjay when she was called alone in Balaji Hospital in the afternoon. Facts indicate that victim is young girl of 15 years of age where present petitioner being Doctor allegedly committed the aforesaid offence in the hospital premises. Nature



of allegations and its gravity cannot be overlooked.

Apart from this, it is evident that wife of the petitioner is pregnant. She is mother of two daughters. Statement of wife of petitioner indicates that her husband is having large family. Brother of the petitioner namely Vinod is also living in the neighbourhood along with his family. Therefore, it cannot be said that there is nobody to look after the wife of petitioner. In light of aforesaid factual position, I do not find a fit case for grant of interim bail and the same is, accordingly, declined.

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

01.05.2025

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(AMARJOT BHATTI)
JUDGE

Whether speaking/reasoned:

Yes/No.

Whether reportable:

Yes/No