



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

209

CRA-S-1729 of 2025(O&M)

Reserved on 20.11.2025

Pronounced on 26.11.2025

Uploaded on 26.11.2025

Parveen Verma

..... Appellant

Versus

State of Haryana and Another

..... Respondents

CORAM: HON'BLE MS. JUSTICE SHALINI SINGH NAGPAL

Present: Mr. G.C.Shahpuri, Advocate
for the appellant.

Ms. Kanica Sachdeva, DAG, Haryana

None for respondent no.2.

SHALINI SINGH NAGPAL J.

1. The appeal under Section 14 A(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 challenges order dated 28.04.2025 of learned Additional Sessions Judge, (Fast Track Court) Special Court, Gurugram vide which application for anticipatory bail of the appellant in FIR No.557, dated 25.07.2021, under Sections 6, 21 of Protection of Children from Sexual Offences Act, 2012, Section 201, 302 IPC and Sections 3(2)(v) & (vi) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 and Section 75 of Juvenile Justice (Care and Protection of Children) Act, 2015, Police Station Sector-10, Gurugram was dismissed.

2. FIR was recorded on statement of complainant 'M' who stated



that he was a labourer and for the last 2½ years, was residing with his family on rent in the house of one Deepak. He had four children, the eldest being 'P', aged 13 years. His wife worked as a maid in Narela. On 17.07.2021, his landlady Rajni Devi took his daughter 'P' to the house of her brother Parveen Verma in village Chokhar Ki Dhani Gurugram as her sister-in-law had delivered a son. 'P' was taken to live in the house of her brother, who had a young daughter. On 23.08.2021, at about 3:00 PM his landlord Deepak informed him and his wife that 'P' had died. In the evening, at 7:00 PM, Parveen, Sagar, Rajni and two others brought the dead body of 'P' for performing last rites. He called the control room, police arrived and kept the dead body in the mortuary of hospital. On inquiry, he learnt that Parveen Verma son of Anil Verma, Sagar son of Ashok Kumar, Rajni wife of Deepak and parents of Rajni had murdered his daughter 'P'.

3. The only ground of challenge to the impugned order, as argued by the learned counsel for the appellant is that appellant was behind bars in the case for more than 4 years and 2 months and considering the long period of custody, the delay in conclusion of trial, violating right of the appellant to speedy trial, learned Additional Sessions Judge, Fast Track Special Court, Gurugram, ought to have enlarged the appellants on bail. In support of his argument, he refers to **Rajat Sharma vs. State of NCT of Delhi, 2015(8) RCR(Criminal) 800** and **Sanjay Chandra vs. CBI, 2011(4) RCR(Criminal) 898.**

4. Learned State counsel, on the other hand, supports the order of learned Additional Sessions Judge, Fast Track Special Court arguing that the appellant was accused of heinous crime, committed in most ghastly manner.



She submits that on 22.08.2021 on Raksha Bandhan, appellant made the deceased child, aged 13 years, sleep in his room. Thereafter, he committed aggravated penetrative sexual assault and when the victim raised cries, he smothered her using a pillow in most brutal manner. She thus, prayed for dismissal of the appeal.

5. No doubt, right to speedy trial is fundamental right of the accused. It is equally true that personal liberty of a citizen is of prime importance but this is to be balanced with the interest of the Society and security of the community. Normally, where there is delay in conclusion of trial, bail is granted to the accused. However, present is not a case where discretion has been erroneously exercised by learned Additional Sessions Judge.

6. The principles, which the Court must consider while granting or declining bail, have been culled out by the Hon'ble Supreme Court in the case of **Prahlad Singh Bhati vs. NCT, Delhi, 2001(2) RCR(Criminal) 377**, thus:

“The jurisdiction to grant bail has to be exercised on the basis of well settled principles having regard to the circumstances of each case and not in an arbitrary manner. While granting the bail, the court has to keep in mind the nature of accusations, the nature of evidence in support thereof, the severity of the punishment which conviction will entail, the character, behaviour, means and standing of the accused, circumstances which are peculiar to the accused, reasonable possibility of



securing the presence of the accused at the trial, reasonable apprehension of the witnesses being tampered with, the larger interests of the public or State and similar other considerations. It has also to be kept in mind that for the purposes of granting the bail the Legislature has used the words "reasonable grounds for believing" instead of "the evidence" which means the court dealing with the grant of bail can only satisfy it as to whether there is a genuine case against the accused and that the prosecution will be able to produce prima facie evidence in support of the charge. It is not excepted , at this stage, to have the evidence establishing the guilt of the accused beyond reasonable doubt."

7. Nature of the accusation and the severity of punishment in case of conviction and the nature of supporting evidence is a crucial determining factor besides *prima-facie* satisfaction of the court in support of the charge (see *State of U.P. vs. Amarmani Tripathi, (2005) 8 SCC 21* and *Ram Govind Upadhyay vs. Sudarshan Singh,(2002) 2 SCC 598* and *Puran vs. Rambilas.(2001) 6 SCC 338*).

8. The allegations against the appellant are of employing a minor girl child, aged 13 years, as a maid in his house to look after his new born son, aggravated penetrative sexual assault on the victim and of brutally murdering her in the night of 22.08.2021. As per Medico Legal Report, the cause of death is asphyxia as a result of manual smothering, with evidence of forceful vaginal and anal penetration. There were as many as 12 injuries



on the person of the victim child, brutal in nature. In support of the charges framed against the appellant, there is a DNA report on record as Annexure R-2 which incriminates the appellant. Besides, the witnesses recorded during the course of trial have also supported prosecution version. The offence allegedly committed is an offence against the society at large and shakes the conscience of the Court. In the facts and circumstances of the case, the concession of bail was rightly declined by learned Additional Sessions Judge, Fast Track Special Court, Gurugram, and no interference in the order under challenge is warranted on the ground of long period of custody.

9. Hence, dismissed.
10. Nothing observed hereinabove shall be deemed to be an expression of opinion on the merits of the case.
11. Considering the serious nature of offence and long period of custody, let it be conveyed to the trial court to conclude the trial as expeditiously as possible.

26th November, 2025
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(SHALINI SINGH NAGPAL)
JUDGE

Whether Speaking/Reasoned : Yes/No

Whether Reportable : Yes/No