



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

212

CRM-M-28909-2025 (O&M)

Date of Decision: 22.12.2025

AJAY

....Petitioner

VERSUS

STATE OF HARYANA

....Respondents(s)

CORAM : HON'BLE MR. JUSTICE ALOK JAIN

Present : Mr. Amit Choudhary, Advocate for the petitioner.

Ms. Akshita Chauhan, DAG, Punjab.

Mr. Deepak Kumar, Advocate for the complainant.

ALOK JAIN, J. (Oral)

1. The present petition has been *inter alia* filed praying for grant of regular bail to the petitioner in case FIR No.213 dated 18.08.2023, under Sections 376, 376(2)(n), 506 of IPC, registered at Police Station Ding, District Sirsa, Haryana.

2. In pursuance to the order dated 20.11.2025, learned State counsel submits that testimony of one of the witnesses has been completed.

3. Learned counsel for the petitioner submits that the victim and the petitioner were in consensual relationship and the present FIR is lodged only on account of coercion of parents of the victim and subsequent to fall out of a consensual relationship. Learned counsel submits that both the prosecutrix and the petitioner were major and the prosecutrix remained happily in a live-in-relationship with the petitioner for five long months and during the said period, both visited various places together. Learned counsel for the petitioner further pointed out that



the petitioner is in custody for the last more than 01 year and 09 months and all the material witnesses have been examined. Hence, he deserves the concession of bail.

4. *Per contra*, learned State counsel assisted by the counsel for the complainant submit that the petitioner not only violated the victim but also impregnated her. Learned State counsel submits that the victim has supported the case of prosecution and the medical evidence is also against the petitioner.

5. Learned State counsel has filed custody certificate and as per which, petitioner is in custody for last 01 year 09 months 09 days.

6. Heard learned counsel for the parties at length and have gone through the record carefully.

7. In light of the above and considering the fact that petitioner is in custody for last 01 year 09 months 09 days, coupled with the facts that material witnesses have already been examined and the trial is likely to take considerable time, therefore, no useful purpose would be served by keeping the petitioner in custody. Accordingly, the petitioner is held entitled to the concession of regular bail.

8. Without commenting upon the merits of the case, the present petition stands allowed and the petitioner is ordered to be released on bail, if not required in any other case, on furnishing bail bonds and surety bonds to the satisfaction of the trial Court/Duty Magistrate, concerned.

The petitioner shall, however, be released on the following conditions:

- (i) The petitioner shall declare his ordinary place of residence and the mobile number used by him.



- (ii) The petitioner will not switch off his mobile and in case of any technical glitch, he has to give an alternate number, which will be available in his absence.
- (iii) The petitioner will mark his presence before the SHO concerned, after every 15 days and in case the SHO refuses to mark his/her presence, he is permitted to make an application before the Illaqa Magistrate, concerned.
- (iv) The petitioner will not leave the country without the prior permission of the Court, for which he will submit the copy of his passport also. However, in case the petitioner does not possess a passport, then he shall file an undertaking to the said effect before being released.

The petitioner shall abide by the terms and conditions as imposed in addition to Section 483 of BNSS, 2023.

- 9. However, nothing stated above shall be construed as a final expression of opinion on the merits of the case and this order shall not be considered as parity qua any other co-accused in any manner whatsoever.
- 10. It is further made clear that, in case, the petitioner is found involved in any such activity once again, the State is at liberty to promptly move an appropriate application for cancellation of bail detailing out the circumstances and violation of conditions of bail.
- 11. Pending application(s), if any, shall stand disposed of.

22.12.2025
Deepak Patwal

(ALOK JAIN)
JUDGE

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|----|---------------------------|--------|
| 1. | Whether speaking/reasoned | Yes/No |
| 2. | Whether reportable | Yes/No |