



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

214

CRM-M-28080-2025

Date of decision : 19.09.2025

Vinod

.....Petitioner

versus

State of Haryana

.....Respondent

**CORAM: HON'BLE MR. JUSTICE NAMIT KUMAR**

Present: Mr. Bhisham Kumar Majoka, Advocate with  
Ms. Mansi, Advocate for the petitioner.

Mr. Ramender Singh Chauhan, A.A.G., Haryana.

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**NAMIT KUMAR, J. (ORAL)**

1. The present petition has been filed by the petitioner under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail in case bearing FIR No.745 dated 16.09.2024 registered under Section 351(3) of Bharatiya Nyaya Sanhita, 2023 and Section 10 of Protection of Children from Sexual Offence Act, 2012 at Police Station Sector 58, District Faridabad.

2. Brief facts of the case are that on 16.09.2024, the mother of the victim made a complaint to the police alleging therein that on 13.09.2024, her husband had left her and her son at the ration shop in Ballabgarh and thereafter, he went for his job in Section 4, Faridabad. When she came back to home at around 1:30 p.m., she saw that her daughter was under fear and weeping. On inquired, her daughter told her that her father/accused (the present petitioner) had taken her home from her school at around 11:00 a.m. and after changing her cloths, he

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had lifted her in his lap and swinging her. Her father touched her chest with bad intention and try to molest her. He also threatened the victim that in case she disclosed the incident to her mother or anybody else, he would kill her. Thereafter, her father took her in an auto to Ballabgarh to take back her mother and brother. Earlier also, the accused/petitioner had committed the wrong act with the victim when she was 8 years old and at the time, he admitted his mistake and assured her not to commit such mistake in future. On the basis of the said complaint, the instant FIR was registered.

3. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in the present case. He submits that the victim and the complainant (mother of the victim), who have been examined before the Trial Court as PW-1 and PW-2, respectively, have not supported the case of the prosecution and have turned hostile. In her testimony recorded before the Trial Court, the victim has stated that she know the accused/petitioner, he is her father and he has not done anything wrong with her. In her testimony, the complainant (mother of the victim) has stated that the accused/petitioner is her husband and he has not done any wrong act with her daughter/victim. Her daughter/victim did not disclose her about any wrong act done by the accused/petitioner with her daughter/victim.

4. Learned counsel for the petitioner further submits that the petitioner is behind the bars since 16.09.2024 and he is not involved in any other case. He also submits that investigation in the present case is complete; challan stands presented; charges have been framed and out



of total 13 prosecution witnesses, only 03 have been examined so far. The trial is likely to take a considerable time to conclude and therefore, no fruitful purpose would be served by detaining the petitioner behind the bars.

5. Per contra, learned State counsel, while referring to the averments made in the status report, has vehemently opposed the prayer for grant of regular bail to the petitioner on the ground that the allegations against the petitioner are serious in nature. However, he could not refute the factual position that out of total 13 prosecution witnesses, 03 have been examined including the victim and the complainant. He has also filed custody certificate dated 17.09.2025 in the Court which is taken on record. As per the custody certificate, the petitioner is behind the bars since more than last one year. Custody certificate further shows that the petitioner is not involved in any other case.

6. Learned State counsel further submits that as per para 8 of the status report, the complainant as well as the victim have been informed about the pendency of the present petition. However, none has put in appearance on their behalf.

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 01 year and 01 day and the facts that the victim and complainant (mother of the victim) have not supported the case of the prosecution before the Trial Court and have turned hostile; investigation has been

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completed; challan has been presented; charges have been framed and out of total 13 prosecution witnesses, only 03 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.

**19.09.2025***kothiyal***(NAMIT KUMAR)  
JUDGE**

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No