

CRM-M-29679 of 2025

2025:PHHC:109278



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

CRM-M-29679 of 2025
Date of decision: 20.08.2025

Anil Kumar

.....Petitioner

versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE NAMIT KUMAR

Present: Mr. Vikas Saroha, Advocate,
for the petitioner.

Ms. Priyanka Sadar, AAG, Haryana.

NAMIT KUMAR, J. (ORAL)

1. Status report by way of an affidavit of Vivek Kundu, Assistant Commissioner of Police, Mujesar, Faridabad, on behalf of respondent-State, has been filed in the Registry which is taken on record. In para 10 of the status report, it has been stated that the complainant/victim has been informed about the pendency of the present petition by serving upon her an intimation letter. However, none has put in appearance on behalf of the complainant/victim.

2. Instant petition has been filed by the petitioner under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 seeking regular bail in case FIR No.502 dated 12.06.2024 registered under Sections 376(2)(n), 506,

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120-B IPC at Police Station Sector 58, Faridabad.

3. Present FIR has been got registered by the complainant alleging that the complainant used to be sexually assaulted and raped by her own father in his house, where she used to stay with her husband and three children, under threat. When she got depressed, her husband became suspicious and installed, secretly a camera in the bedroom of the complainant/wife and found that she used to be raped by her father. As a result, complainant alongwith her husband and children shifted their residence. In their new neighbourhood, used to live a lady, namely Manju wife of Parmod with her children, on rent, in whom the complainant reposed faith and disclosed her story, to her but she while blackmailing her and on the pretext that she could also help her, took her to the petitioner, who used to live on rent at Badarpur Border, Delhi in the Summers of 2023, when he was alone, who gave a patient hearing to her grievances and induced her to indulge in physical relations with him while claiming that he had connections with the police also, and assuring that he would do something or the other, for the redressal of the grievances against her father. Petitioner however, prepared her obscene video and started blackmailing her on that pretext, to make it viral and subjected her to sexual intercourse, multiple times, at his beck and call. The last incident of rape committed by the petitioner, was near around Diwali, 2023

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in the present case. He further submits that no such incident, as has been alleged in the FIR, has ever

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occurred. He further submits that the complainant/victim has not supported the case of the prosecution in her testimony recorded before the trial Court as PW1 on 22.04.2025 wherein she stated that her signatures were taken on the blank papers and the petitioner and other co-accused had not committed any wrong with her at any point of time. Learned counsel further submits that investigation in the present case is complete; challan has been presented; charges have been framed and out of total 17 prosecution witnesses only 01 has been examined. He submits that petitioner is in custody since 09.07.2024. He further submits that the petitioner is not involved in any other case. He further submits that trial may take a considerable time to conclude, therefore, no fruitful purpose would be served by detaining the petitioner behind bars.

5. *Per contra*, learned State counsel, while placing on record custody certificate, has opposed the prayer for grant of regular bail to the petitioner by submitting that petitioner is the main accused and there are serious allegations against him, therefore, he does not deserve the concession of regular bail.

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

7. Keeping in view the custody of the petitioner, which is 01 year, 01 month and 12 days; complainant/victim has not supported the prosecution version; investigation in the present case is complete; challan has been presented; charges have been framed; out of total 17 prosecution witnesses only 01 has been examined as yet and the conclusion of trial may take a long

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time, however, without commenting upon the merits of the case, 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.

- 8. The petition stands disposed of accordingly.
- 9. 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.

20.08.2025
R.S.

(NAMIT KUMAR)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No