

CRM-M-30046 of 2025

2025:PHHC:103630



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

CRM-M-30046 of 2025
Date of decision: 11.08.2025

Satyaveer alias Satbir

.....Petitioner

versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE NAMIT KUMAR

Present: Mr. Rajesh Bansal, Advocate,
for the petitioner.

Mr. Hemant Aggarwal, DAG, Haryana.

Mr. Arun Kumar Gupta, Advocate,
for respondents No.2 and 3.

NAMIT KUMAR, J.

1. 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.0432 dated 09.07.2024 registered under Section 376 IPC and Section 4 of the Protection of Children from Sexual Offences Act, 2012 (later on during investigation Sections 376(2)(n), 506 IPC and Section 6 of the POCSO Act added and Section 4 of the POCSO Act deleted) at Police Station Chandnibagh, District Panipat.

2. Present FIR was registered on the complaint of father of the minor victim submitting therein that on 05.07.2024, his minor daughter aged

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about 17 years experienced some pain in her stomach and therefore, he got her admitted at Park Hospital, Siwah. It has been further averred that during her treatment, the doctor found out that his minor daughter is pregnant and when he and his wife asked about the same from his daughter, she told that one unknown boy had committed rape with her. On the basis of this complaint, FIR was registered and investigation was commenced. During investigation, the victim was got counseled through CWC, Panipat and then she revealed that the petitioner had committed rape with her. Thereafter, statement of victim under Section 180 of the Bharatiya Nagarik Suraksha Sanhita, 2023 was recorded wherein she again revealed that in the month of April, 2024 the petitioner had committed rape with her two/three times against her will.

3. Learned counsel for the petitioner submitted that the petitioner is innocent and has been falsely implicated in the present case as he has not committed the offence as alleged in the FIR. He further submitted that the complainant/father and mother of the victim while appearing as PW4 and PW6 have not supported the prosecution version. They have stated that the petitioner and their daughter solemnized marriage on 21.04.2024 in Shiv Mandir, Babail Road, Panipat, as per Hindu rites and ceremonies and they started living together and the petitioner has not committed any wrong act with their daughter. Further, the victim, who has been examined as PW5, has specifically stated that she solemnized marriage with petitioner on 21.04.2024 with her own will and they started residing together and that the petitioner did not commit any wrong act with her against her will. Learned

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counsel further submitted that investigation in the present case is complete; challan has been presented; charges have been framed and out of total 21 prosecution witnesses only 06 have been examined till date. He further submitted that all the material witnesses have been examined. He further submitted that the petitioner is in custody since 07.08.2024. He further submitted that the petitioner is not involved in any other case. He further submitted that trial may take a considerable time to conclude, therefore, no fruitful purpose would be served by detaining the petitioner behind bars.

4. *Per contra*, learned State counsel has opposed the prayer for grant of regular bail to the petitioner on the ground that petitioner has repeatedly committed rape upon the minor victim and impregnated her. Therefore, keeping in view the gravity and seriousness of the offence committed by the petitioner, he does not deserve the concession of regular bail.

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

6. Keeping in view the custody of the petitioner, which is about 01 year, 04 days; material prosecution witnesses have been examined and they have not supported the case of the prosecution; out of total 21 prosecution witnesses only 06 have been examined, therefore, conclusion of trial may take a long 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.

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

11.08.2025
R.S.

(NAMIT KUMAR)
JUDGE

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