



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-30921 of 2025(O&M)

Date of Order: 17.11.2025

Saurav Bhatt

..Petitioner

Versus

State of Haryana

..Respondent

CORAM: HON'BLE MS. JUSTICE SHALINI SINGH NAGPAL

Present: Mr. Vishal Malik, Advocate
for the petitioner.

Ms. Kanica Sachdeva, DAG, Haryana.

SHALINI SINGH NAGPAL, JUDGE

Petitioner seeks regular bail in case vide FIR No.107, dated 02.03.2025, under Sections 376(2)(n) and 506 IPC, Police Station Old Industrial Panipat, District Panipat. This is his first petition for regular bail.

Prosecutrix, aged 24 years alleged that she worked in Indian Bank and became acquainted with Saurav son of Shahsi Kumar on 14.07.2023. On 03.11.2023, she accompanied Saruav to Chulkana Khatu Shyam Temple. When they were returning and reached near canal, Saurav took her to his room in Saundapur on the pretext of bringing his ID card and forcibly committed rape. Thereafter, Saurav had been committing wrong act with her under threat. When she asked him to marry her, he used to give assurance and committed wrong act many times on the promise of marriage. He also threatened to kill her if she dared to disclose the matter.

Learned counsel for the petitioner submits that prosecutrix was a mature, 24 years old bank employee who was in relationship with



petitioner for two years before FIR was registered. He further submits that it was a clear case of consensual relationship, gone sour and the duration of the physical relationship without protest by the prosecutrix for two years took the case out of criminal culpability. Learned counsel referred to statement of the prosecutrix recorded under Section 183 of Bhartiya Nyaya Sanhita (BNS), 2023 to highlight that throughout, the prosecutrix was a willing partner and consciously engaged in sexual relations fully aware of the consequences of the act. Referring to ***Mahesh Damu Khare vs. The State of Maharashtra and another, 2024 SCC OnLine SC 3471***, it was argued that no offence under Section 376 IPC was made out against the petitioner who was in judicial custody for the last eight months and deserved to be enlarged on bail.

Learned State counsel has placed on record custody certificate and has opposed the prayer for regular bail on the ground of serious nature of allegations. She submits that out of 18 witnesses, only two were examined and the victim was yet to be examined. In case, the petitioner was released on bail, he may subvert the course of justice and by tampering with the evidence.

Prosecutrix is a mature, 24 years old bank employee. It is her own case that she was well acquainted with the petitioner for two years before registration of the FIR. Antecedents of petitioner are clear. He is not involved in any other case. Investigation of the case is complete. There is no reason to believe that petitioner would not abide by the process of law. Whether or not the physical relationship with the petitioner was a direct result of the false promise made, thus deceiving the prosecutrix to engage in



sexual relations, would be a matter of trial. Considering the period of incarceration undergone and all relevant facts and circumstances of the case, but without commenting on merits, petitioner is ordered to be released on regular bail subject to his furnishing adequate bail and surety bonds to the satisfaction of trial Court/Duty Magistrate.

All the pending miscellaneous applications, if any, stand disposed of.

(SHALINI SINGH NAGPAL)
JUDGE

17th November, 2025

nt

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No