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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-34817-2024

Date of Decision:- 06.03.2025

JESUS SAROHA

....Petitioner

Vs.

STATE OF HARYANA

...Respondent

CORAM:- HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present:- Mr. Jagbir Singh, Advocate for petitioner.

Ms. Aditi Girdhar, AAG, Haryana.

AMARJOT BHATTI, J. (Oral)

1. Petitioner - Jesus Saroha has filed instant petition under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail in FIR No.829 dated 18.11.2023 under Sections 323, 354, 376, 506, 511 read with Section 34 IPC (Section 365 added later-on) registered at Police Station Kundli, District Sonipat.

2. Facts of the case are that prosecutrix gave her statement that she was friendly with Jesus Saroha. She had gone to meet him at TDI Club. On 28.10.2023 he raped her in the basement of TDI club and also gave her beating and threatened not to disclose this fact to anybody. She told about this occurrence to the parents of Jesus who gave her beating. Due to pressure



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from his family, she did not take any action. On 16.11.2023 she had gone to the SRM University for some work, there she was forced to sit in a car by Jesus, his father - Sunil, mother Kamla Saroha and his brother. She was again beaten up and was touched in an inappropriate manner. They tried to involve her in a false case. She was taken to the Police Station where nobody helped her. Jesus and his parents gave her beating even in the Police Station. With these allegations, present FIR has been registered.

3. Learned counsel for petitioner argued that allegations levelled against petitioner are false. There is delay of 19 days in lodging the report. Alleged victim did not receive any injury. No such occurrence took place. He was arrested in this case on 29.11.2023 and since then he is behind the bars. At present, statement of the victim is already recorded which clearly shows that allegations levelled against him are without any basis. He is ready to abide by the terms of bail order. Therefore, his regular bail application may be allowed.

4. Status report is filed. It is pointed out that victim was medically examined. As per her MLR, she received five injuries which is Annexure R-1. It is confirmed that after the completion of investigation, challan is already presented on 24.01.2024. Regarding other co-accused, supplementary challan is presented on 27.03.2024. Prosecution evidence is being recorded and out of 16, 4 witnesses have been examined including the victim.

5. I have considered the arguments and have gone through the



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record. As referred above, trial in this case is already going on and the statement of victim has been recorded which has been received from the learned trial Court vide letter dated 20.02.2025. Prosecution, initially, sought adjournment to file application under Section 319 Cr.P.C. but during the pendency of present regular bail application it was made clear that complainant does not want to file application under Section 319 Cr.P.C. I have also gone through the statement of victim as well as her detailed cross-examination. Petitioner is behind the bars since 29.11.2023. Other prosecution witnesses are yet to be examined. Trial, in this case, may take some time. No purpose would be served by keeping him behind the bars. Testimony of prosecutrix will be appreciated by the trial Court at appropriate stage. Therefore, without expressing my mind on the merits of the case, regular bail application filed by petitioner Jesus Saroha is allowed and he is ordered to be released on bail to the satisfaction of trial Court/Duty Judge, concerned.

06.03.2025

*snd***(AMARJOT BHATTI)
JUDGE**

Whether speaking/reasoned:

Yes/No.

Whether reportable:

Yes/No