

CRM-M-42282 of 2025 (O&M)

2025:PHHC:134393



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

CRM-M-42282 of 2025 (O&M)
Date of decision: 25.09.2025

Amarpal

.....Petitioner

versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE NAMIT KUMAR

Present: Ms. Pooja Jaglan, Advocate,
for the petitioner.

Ms. Priyanka Sadar, Sr. DAG, Haryana.

NAMIT KUMAR, J. (ORAL)

1. Learned State counsel submits that in compliance of order dated 08.08.2025, victim and the complainant have been informed about the pendency of the present petition. However, none has appeared on their behalf.

2. Instant fourth petition has been filed by the petitioner under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 seeking regular bail in case FIR No.73 dated 26.03.2024 registered under Sections 148, 149, 506, 323, 325, 452, 354-A IPC and Section 6 of the POCSO Act (Sections 307, 308, 506, 201, 376(2)(n) IPC added lateron and Sections 325, 323 IPC deleted) at Police Station Sanoli, Panipat.

CRM-M-42282 of 2025 (O&M)

2025:PHHC:134393



3. Briefly stated, it is the case of the prosecution that complainant/mother of the victim presented a complaint before the police against the petitioner along with co-accused mentioning therein that she is having one son and four daughters. All her four daughters are minor. Her daughter/victim is 17 years old. She told her that for the last two years, accused Sumit was troubling her when her daughter was 14/15 years old. Her daughter also told that the accused took her to fields and committed rape upon her by showing her knife and also clicked her nude photographs and videos and threatened that he will make viral her photographs and videos. Accused Sumit committed rape upon her several times. The accused also threatened her daughter. When the complainant disclosed the matter to her husband and then they went to family of the accused and they assured that the accused will not trouble her daughter but the accused did not mend his ways and again started troubling her daughter. The victim was sent to the brother of complainant but accused also reached there. On 25.03.2024 at about 7:00 p.m., the accused came there but he was sent back, Later on, accused along with his family members came along with weapons in their house and attacked on the complainant and her family members and caused injuries to the family members of the complainant. She requested to take legal action against the accused. On the basis of complaint, FIR in the present case was registered.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in the present case. She further submits that initially the FIR was registered against eight persons and two

CRM-M-42282 of 2025 (O&M)

2025:PHHC:134393



accused, namely, Ravita wife of present petitioner and Pooja wife of Anuj were exonerated during the course of investigation. She further submits that the role of the petitioner is the same as that of abovesaid two persons. She further submits that even as per the status report filed by the State, the role of the petitioner is that the petitioner along with other accused entered the complainant's house and began insulting the prosecutrix's family and he had beaten the father of the victim Kanwarpal with his knees and hands. She further submits that there is no MLR of Kanwarpal and, therefore, the said allegations are totally baseless. Learned counsel further submits that investigation in the present case is complete; challan has been presented; charges have been framed and out of total 21 prosecution witnesses, three witnesses including victim and complainant (mother of the victim) have been examined. Petitioner is in custody since 08.06.2024. She further submits that the petitioner is not involved in any other case. She 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 filing custody certificate, has opposed the prayer for grant of regular bail to the petitioner. However, she does not dispute that investigation in the present case is complete; challan has been presented; charges have been framed and out of total 21 prosecution witnesses, only three witnesses have been examined. Petitioner is in custody for the last 01 year 03 months 16 days and he is not involved in any other case.

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

CRM-M-42282 of 2025 (O&M)

2025:PHHC:134393



record.

7. Keeping in view the custody of the petitioner, which is about 01 year 03 months 16 days; he has no other criminal antecedents; out of total 21 prosecution witnesses only three have been examined and the 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.

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.

25.09.2025
R.S.

(NAMIT KUMAR)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No