



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

214

CRM-M-43941-2025 (O&M)

Date of Decision: 11.12.2025

AJIT SINGH RAWAT

...Petitioner

VERSUS

STATE OF HARYANA

...Respondents(s)

CORAM : HON'BLE MR. JUSTICE ALOK JAIN

Present: Mr. Shakir Shabir, Advocate for the petitioner.

Ms Akshita Chauhan, DAG, Haryana.

ALOK JAIN, J. (Oral)

1. The present petition has been *inter alia* filed praying for grant of regular bail to the petitioner in case FIR No.85 dated 18.03.2025, under Sections 115, 69 & 241 of BNS, registered at Police Station DLF Phase-3, District Gurugram.

2. Learned counsel for the petitioner submits that the testimony of the prosecutrix has been recorded in which she has completely resiled from the allegation levelled by her in the FIR.

3. Learned State counsel has filed custody certificate and as per which, petitioner is in custody for last 08 month 21 days and learned counsel does not deny the above said factual position.

4. Heard learned counsel for the parties at length and have gone through the record carefully.



5. It is apposite to consider that it has become a trend, subject to just exceptions, that serious allegations of being violated are made by the prosecutrix and then at the stage of testimony, resiled as nothing had happened. This not only causes an extreme burden on the entire State machinery but also demeans the stature of women in the society. Such kind of misadventure by the prosecutrix needs to be checked and therefore, the State should exercise appropriate power to hold such person accountable for their misadventure. It is expected that the Authorities will also take appropriate steps in accordance with law in the present case.

6. Nevertheless, In light of the above and considering the fact that petitioner is in custody for last 08 month 21 days, coupled with the facts that material witnesses have resiled and the trial is likely to take considerable time, therefore, no useful purpose would be served by keeping the petitioner in custody. Accordingly, the petitioner is held entitled to the concession of regular bail.

7. Without commenting upon the merits of the case, the present petition stands allowed and the petitioner is ordered to be released on bail, if not required in any other case, on furnishing bail bonds and surety bonds to the satisfaction of the trial Court/Duty Magistrate, concerned. The petitioner shall, however, be released on the following conditions:

i The petitioner shall declare his ordinary place of residence and the mobile number used by him.

ii The petitioner will not switch off his mobile and in case of any technical glitch, he/she has to give an alternate number, which will be available in his absence.



iii The petitioner will mark his presence before the SHO concerned, after every 15 days and in case the SHO refuses to mark his/her presence, he is permitted to make an application before the Illaqa Magistrate, concerned.

iv The petitioner will not leave the country without the prior permission of the Court, for which he will submit the copy of his passport also.

However, in case the petitioner does not possess a passport, then he shall file an undertaking to the said effect before being released.

The petitioner shall abide by the terms and conditions as imposed in addition to Section 483 of BNSS, 2023.

8. However, nothing stated above shall be construed as a final expression of opinion on the merits of the case and this order shall not be considered as parity qua any other co-accused in any manner whatsoever.

9. It is further made clear that, in case, the petitioner is found involved in any such activity once again, the State is at liberty to promptly move an appropriate application for cancellation of bail detailing out the circumstances and violation of conditions of bail.

10. Pending application(s), if any, shall stand disposed of.

(ALOK JAIN)
JUDGE

11.12.2025
Deepak Patwal

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|------------------------------|--------|
| 1. Whether speaking/reasoned | Yes/No |
| 2. Whether reportable | Yes/No |