



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

207

**CRM-M-45091-2025 (O&M)
Date of Decision: 17.09.2025**

ARUN PANDIT

...Petitioner

V/S

STATE OF PUNJAB AND ANOTHER

...Respondents

CORAM: HON'BLE MS. JUSTICE SHALINI SINGH NAGPAL

Present: Mr. Shubham Agarwal, Advocate
for the petitioner.

Mr. Kunwarbir Singh, AAG Punjab.

SHALINI SINGH NAGPAL, J. (ORAL)

Petitioner seeks regular bail in case arising out of FIR No. 0023 dated 02.03.2025, under Section 64(1) Bharatiya Nyaya Sanhita, 2023, Police Station Lalru, District SAS Nagar. Sections 64(2)(m) and 64(2)(i) BNS have been added later on by the police. This is the first petition for regular bail.

Learned counsel for the petitioner submits that it was a case of consensual relationship between the petitioner and prosecutrix, who was 38 years old widow with two children. He further submits that the case was lodged after 08 months of the alleged incident and as per version in the FIR, for the reason that petitioner was not paying the EMI of motorcycle, which was registered in the name of the prosecutrix. It was further argued that



investigation of the case was complete and petitioner was in custody in the case w.e.f. 07.03.2025.

Status report by way of affidavit of Bikramjit Singh Brar, PPS, Deputy Superintendent of Police, Sub Division Dera Bassi, District SAS Nagar has been filed on behalf of respondent No. 1-State. The prayer for bail is opposed by learned State counsel on the ground that case was at initial stage and prosecutrix was yet to be examined. Considering the gravity of allegations, it has been prayed that the application for bail be dismissed.

Prosecutrix 'A' aged 38 years stated in her complaint that she was married to one Om Parkash about 20-22 years ago and from him, she had two children, a boy aged 19 years and a girl aged 13 years. Her husband died 12-13 years ago and after his death, she was working in a Pizza shop. One year ago she had conversation with Arun Pandit, resident of Ambala, through Instagram. Thereafter, they both went to A.P. Hotel, Lalru, where Arun rented a room. They stayed in the room for about 02 hours. Arun gave her a cold drink, which she consumed and felt sleepy. Then Arun made physical relations with her against her wish. After that also, Arun continued to have physical relations with her. During this time, Arun borrowed Rs. 1,50,000/- from her. She bought him a motorcycle worth Rs.1,20,000/- on monthly installments, but Arun failed to pay the installments. Now the motorcycle was with her and she was paying installments. She stated that Arun made physical relations with her against her wishes in A.P. Hotel and had committed rape.



Investigation of the case is complete. Petitioner is in custody w.e.f. 07.03.2025. Trial of the case, which is yet to commence, is likely to take time in conclusion. Antecedents of the petitioner are clear. He is not involved in any other case. There is no apprehension expressed that petitioner would abscond from the process of law or would tamper with evidence. Further incarceration of the petitioner is not warranted.

In these circumstances, but without expressing any opinion on the merits of the case, petition is allowed. Petitioner-Arun Pandit, is ordered to be released on regular bail on his furnishing bail bonds and surety bonds to the satisfaction of trial Court/Duty Magistrate concerned.

(SHALINI SINGH NAGPAL)
JUDGE

SEPTEMBER 17, 2025.
Ajay Goswami

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