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

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Date of Decision:- 27.08.2025

Hemraj

....Petitioner

Vs.

State of Haryana

...Respondent

CORAM:- HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present:- Mr. Parveen Kaushik, Advocate
for the petitioner.

Mr. Ayuwan Singh, AAG, Haryana.

Mr. Mudit Johar, Advocate for
Mr. Abhimanyu Singh, Advocate
for the complainant.

AMARJOT BHATTI, J.(Oral)

1. Petitioner Hemraj has filed petition under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of anticipatory bail in case FIR No. 19 dated 18.05.2025 registered under 74 and 79 of Bharatiya Nyaya Sanhita, 2023 and Section 10 and 12 of Protection of Children from Sexual Offences Act, 2012 registered at Police Station Women Bahadurgarh, District Jhajjar (Section 74 of BNS, 2023 and Section 10 of POCSO Act, 2012 were deleted later on during investigation) (Annexure P-1).

2. As per the facts of case, prosecutrix 'B' gave her statement that on 12.05.2025 she was present in the house, when at about 08:00 pm,

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her husband Hemraj came under the influence of liquor and started fighting with her. He abused her to which she did not give any reply. He removed his clothes completely and was naked. During this period, her granddaughter who was already present in the house came and saw everything. She called on police helpline number. He also tried to hold her granddaughter and take her to room forcibly. She rescued her granddaughter. With these allegations, present FIR has been registered.

3. Learned counsel for petitioner argued that all allegations levelled against him are false. His anticipatory bail application was wrongly declined by learned Additional Sessions Judge (Exclusive Court), Jhajjar vide order dated 06.08.2025 (Annexure P-2). Infact, dispute is regarding property regarding which civil litigation is already going on. Petitioner has annexed copy of plaint filed by Manisha and another case filed by Hemraj, which are Annexures P-4 and P-5 respectively. Both Birmati and Manisha also filed another suit for permanent injunction which is Annexure P-6. Complainant has also filed a complaint under Section 12 of Protection of Women from Domestic Violence Act, 2005 (Annexure P-3). Infact, complainant tried to burn him, as a result, he suffered burn injuries. Admission and Discharge record is Annexure P-9 and photograph of petitioner is Annexure P-8. Petitioner is ready to join investigation and will abide by terms and conditions of bail order. Therefore, his anticipatory bail petition may be allowed.

4. Detailed status report has been filed. It is pointed out that victim was medically examined at General Hospital, Bahadurgarh. Copy of

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MLR is Annexure R-1. Statement of victim recorded under Section 183 BNSS, 2023 is Annexure R-2. Present FIR has been registered on thorough investigation. It is confirmed that petitioner was admitted in hospital due to burn injuries. Copy of MLR and GD entry No. 38 dated 30.05.2025 are Annexures R-5 and R-6 respectively. It is pointed out that complainant categorically stated that on 28.05.2025, petitioner deliberately admitted himself with Brahm Shakti Sanjivani Hospital, Bahadurgarh with allegations that said burn injuries were caused by his wife to create a defence in present case. Victim who is a young girl of 11 years levelled serious allegations against petitioner. Petitioner/accused is required to join investigation.

5. I have considered the arguments and have gone through the record carefully. Present FIR has been registered regarding occurrence dated 12.05.2025. Statement of victim is also recorded during investigation confirming the allegations. It is matter of record that civil litigation is already going on between complainant and present petitioner who is her husband. Civil litigation will be decided on its own merits. Main emphasis is regarding the occurrence which took place on 12.05.2025. There is treatment record of present petitioner regarding burn injuries suffered by him on 28.05.2025. Again the incident of 28.05.2025 requires separate investigation. Therefore, considering the allegations detailed in present FIR, I am not inclined to grant anticipatory bail to petitioner and petition filed by him is, accordingly, dismissed.

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6. Pending miscellaneous application(s), if any, stand disposed of accordingly as well.

27.08.2025

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Whether speaking/reasoned:
Whether reportable:

Yes/No
Yes/No

(AMARJOT BHATTI)
JUDGE