



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

CRA-S-2685-2025 (O&M)

Reserved on: 29.09.2025

Pronounced on: 30.09.2025

ANKIT

...Appellant

V/S

STATE OF HARYANA AND OTHERS

...Respondents

CORAM: HON'BLE MS. JUSTICE SHALINI SINGH NAGPAL

Present: Mr. Sanchit Punia, Advocate
for the appellant.

Mr. Vikas Bhardwaj, AAG Haryana.

None for respondents No. 2 and 3.

SHALINI SINGH NAGPAL J.

Appellant challenges order dated 01.08.2025 of learned Additional Sessions Judge-cum-Special Judge, Fast Track Court, Hisar, vide which his application for bail in case arising out of FIR No. 770 dated 04.09.2023 under Sections 363, 366A, 376(2)(n), 506, 34 Indian Penal Code, Sections 6, 17 Protection of Children from Sexual Offences Act, 2012 and Section 3(2)(va) of The Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989, Police Station Barwala, Hisar was dismissed.

The facts are that mother of the prosecutrix lodged the FIR stating that her daughter 'B' was 17 years 04 months old. The night before, at 12.00 AM, she went missing from the house and could not be traced. At about 02.00AM, Ankit son of Ramniwas, dropped 'B' in the street on his motorcycle and left. He was accompanied by Khetu son of Suresh Chamar, Ram Mehar son of Prem and Ankush son of Ram Niwas

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@ Gappa. On enquiry, 'B' informed that Ankit had taken her from the field by extending threats and had physical relations with her, against her will, in a nearby hut. Then, along with Khetu, Ram Mehar and Ankush, he dropped her in the lane. Ankit had forcible physical relations with her minor daughter and Kehtu, Ram Mehar and Ankush assisted him in the wrong doing. Legal action was prayed for.

Learned counsel for the appellant *inter alia* submits that prosecutrix, who was 17 years 04 months old, was in a relationship with the appellant and it was a case of elopement. He further submits that there was no prospect of the appellant influencing the prosecutrix, who had been examined in the trial. In her statement, she conceded that appellant had given her a keypad mobile phone. Referring to statement of the prosecutrix recorded under Section 164 Cr.P.C., he submitted that first version of the prosecutrix was that appellant only attempted to do wrong act with her. Further, as per report of Regional Forensic Science Laboratory, Hisar, Haryana, semen could not be detected on any of the exhibits. It has been prayed that appellant, who was in custody for the last 01 year and 11 months, deserved to be enlarged on bail. Therefore, order dated 01.08.2025 of learned Additional Sessions Judge-cum-Special Judge, Fast Track Court, Hisar be set aside.

Learned State counsel has filed the status report by way of affidavit of Sumit Kumar, HPS, Deputy Superintendent of Police, Barwala, Hisar along with custody certificate and has supported the impugned order. He prays for dismissal of appeal.

Respondents No. 2 and 3 were duly served, however, none has appeared on their behalf.

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As per custody certificate, there are three more cases pending against the appellant. Out of the three, he is on bail in two cases. In another FIR No. 362 dated 18.06.2021, Police Station Barwala, Hisar, appellant has been convicted under Section 8 POCSO Act and Sections 342, 506 IPC and has been sentenced to imprisonment. Though, it is claimed that the case, in which conviction was ordered, also pertained to the same victim, considering past conduct and antecedents of the appellant, it is not a fit case to enlarge him on bail. There is every possibility that the appellant would repeat the offence, in case he is released on bail and misuse the concession. There is no apparent illegality in the order dated 01.08.2025 of learned Additional Sessions Judge-cum-Special Judge, Fast Track Court, Hisar, declining third bail application of the appellant, on account of his previous antecedents and seriousness of allegations. This Court is not inclined to take a different view, on the facts of the case. Accordingly, appeal filed by the appellant is dismissed.

Nothing observed hereinabove shall be deemed to be expression of an opinion by this Court on merits of the case.

(SHALINI SINGH NAGPAL)
JUDGE

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Pronounced on: 30.09.2025

Ajay Goswami

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No