



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

CRM-M-53983-2025 (O&M)
Reserved on: 17.11.2025
Pronounced on: 18.11.2025
Uploaded on: 19.11.2025

SONU RAWAT

...Petitioner

V/S

STATE OF HARYANA

...Respondent

CORAM: HON'BLE MS. JUSTICE SHALINI SINGH NAGPAL

Present: Mr. Kunal Dawar, Sr. Advocate with
Mr. Vipul Sharma, Advocate and
Mr. Mayank Aggarwal, Advocate for the petitioner.

Ms. Kanica Sachdeva, DAG Haryana.

Mr. Dharamvir Singh, Advocate
for the complainant.

SHALINI SINGH NAGPAL, J.

Petitioner seeks regular bail in case arising out of FIR No. 144 dated 19.12.2024 under Sections 328, 376-D, 354-D, 450 and 506 Indian Penal Code, Police Station Bahin District Palwal, Haryana. Offence under Section 376(2)(n) IPC was added during investigation. This is the second petition for regular bail. The first petition was dismissed as withdrawn on 09.09.2025.

Prosecutrix alleged in the FIR that Sonu son of Rajbir, her husband's friend used to visit their house. About 03 years ago, he came with cold drink and cake, in the absence of her husband. She consumed the cold drink and became unconscious. When she regained consciousness, she was lying naked on the bed with Sonu. On inquiry, he told her that he had taken her



obscene photos and made obscene video. He threatened to make them viral and eliminate her husband and son, if she disclosed the incident to anyone. Thereafter, he started blackmailing her and committed rape many a times by threatening her with the pictures and videos. Whenever her husband was out, Sonu forcefully came to her house and committed rape under threat of making the pictures and videos viral. One day, he brought Karambir son of Jagvir, resident of Bahin with him and told her that he had transferred her pictures and photos to his phone that she was required to have physical relations with him as well. When she refused, Karambir threatened to make her videos and photos viral and forcefully raped her. She did not tell anyone out of fear and shame. They also took about ₹1,00,000/- from her under threat. Even on the day of lodging FIR, Karambir and Sonu came to her house and tried to force themselves on her, on which she raised alarm. Her neighbours arrived, caught them and thrashed them. After a while, her husband also reached and called the police.

Learned counsel for the petitioner submits that prosecutrix was a 39 years old married, mature lady, who was in consensual relationship with the petitioner. The FIR was got registered when her husband got wind of the relationship. Thereafter, petitioner and co-accused were beaten up and false FIR was got registered. There was delay of 03 years in registration of FIR. No date, time or place of the alleged offence was disclosed in the FIR. Copy of medico legal report dated 19.12.2024 (Annexure P-3) revealed that the petitioner was thrashed by husband of the prosecutrix when their relationship was revealed. In

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fact, petitioner, a 26 years old young boy was entrapped by the prosecutrix who was about 40 years old. Referring to the copy of medico legal report of the prosecutrix, it was submitted that the history given by the lady to the Medical Officer was that the incident had occurred three years ago and it was on that account that no samples were taken from her body nor any examination was done. Referring to copy of order dated 05.06.2025 of learned Additional Sessions Judge, Palwal, it was submitted that petitioner was not even charge sheeted under Sections 66-E, 67, 67-A of Information Technology Act, 2000 as the pictures(Annexure P-2) could not be termed obscene. It was, thus, prayed that petitioner be enlarged on regular bail.

Learned State counsel has filed status report by way of affidavit of Surender Singh, HPS, Deputy Superintendent of Police, Hotal, District Palwal along with custody certificate of the petitioner. She, assisted by learned counsel for the complainant, has opposed the prayer for regular bail arguing that though charges were framed against the petitioner, no witness was examined till that day. Prosecutrix was yet to be examined. She fully supported her first version in her statement under Section 164 Cr.P.C. and considering the serious nature of allegations, petitioner did not deserve to be enlarged on bail.

Prosecutrix is a 39 years old mature, married lady with a 15 years old child. During the course of investigation, police has failed to recover any obscene pictures or videos to substantiate the allegation that petitioner committed rape upon her under threat of making her obscene photos and videos viral. Petitioner has not been charge sheeted under Sections 66-E, 67, 67-A of



Information Technology Act, 2000. Whether he was indeed blackmailing the prosecutrix by threatening to make her videos and photos viral, would be moot point during the trial, conclusion of which will take long. As per history recorded in the medico legal report of the prosecutrix, the incident which prosecutrix disclosed in the FIR happened three years ago and not in December 2024, on which account neither her samples were taken nor sent to FSL. Though, petitioner is stated to be involved in FIR No. 130 dated 13.12.2020 under Sections 302, 120-B IPC, Police Station Bahin, Palwal, he is on bail in that case. Mere involvement of the petitioner in another case cannot be a ground to decline bail, when a clear case therefor is made out. Petitioner is in judicial custody in the case for the last 10 months and 25 days and his further incarceration is not warranted. In these circumstances, but without meaning to express any opinion on merits, the petition is allowed. Petitioner-Sonu Rawat, 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.

Pending CRM(s), if any, are also disposed of accordingly.

(SHALINI SINGH NAGPAL)
JUDGE

Reserved on: 17.11.2025
Pronounced on: 18.11.2025

Ajay Goswami

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