

2025:PHHC:016909



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

**CRM-M No.59906 of 2024
Date of Decision: 05.02.2025
Reserved on: 28.01.2025**

Ranjeet Kumar

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Sarun Hans, Advocate,
for the petitioner.

Mr. Neeraj Poswal, AAG, Haryana,
for the respondent-State.

MANISHA BATRA, J.

1. The instant one is the second petition under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (For short “BNSS”) for grant of regular bail as filed by the petitioner in case arising out of FIR No.02 dated 16.02.2023 registered under Sections 376 (2) (n), 354D and 506 of IPC and Sections 66C, 66E and 67A of the Information Technology (Amendment) Act, 2008 at Police Station Cyber Crime Police Station Fatehabad, District Fatehabad. His previous petition bearing CRM-M No.30575 of 2023 had been dismissed by this Court vide order dated 28.02.2024.

2025:PHHC:016909



2. The petitioner has been booked for commission of the aforementioned offences on the allegations that he had induced the victim to befriend with him. After sometime he had gone to Germany. In the year 2021, he extended threats to the victim to send her photographs and obscene videos. Out of fear, the victim had sent her nude photographs and videos to the petitioner on the basis of which he had started blackmailing the victim and then had committed rape upon her on 21.02.2022 and 25.02.2022. Subsequently, he had sent her videos on the mobile phone of her brother by making a fake ID. After registration of FIR, investigation proceedings were initiated. He was arrested on 17.02.2023. Investigation stands concluded and he is facing trial.

3. It was argued by learned counsel for the petitioner that he has been falsely implicated in this case. He was in custody since long. The victim has since been examined and there are no chances of petitioner's intimidating her at all. There are several lacunas in her testimony which show that she has foisted a false case upon her. The trial is still likely to take substantial time. His further detention would not serve any useful purpose. The extended period of incarceration has also entitled him to seek benefit of release on bail. Therefore, it was urged that he deserved to be extended benefit of regular bail.

4. Status report has been filed by the respondent-State. Learned Assistant Advocate General, Haryana argued that there are serious and specific allegations against the petitioner. His previous bail petition had been

2025:PHHC:016909



dismissed on merits by making detailed discussion. There is no substantive change in the circumstances ever since the date of dismissal of the previous petition. The victim has fully supported the prosecution case. There are chances of his absconding if extended benefit of bail. Therefore, it was urged that the petition does not deserve to be allowed.

5. Learned counsel for both the parties were heard at considerable length.

6. The petitioner is alleged to have sexually harassed the victim, committed repeated rape upon her, criminally intimidated her and is also alleged to have made the objectionable videos of the victim viral, by creating a false email ID. The victim in her sworn deposition has supported the prosecution version. The previous petition as filed by the petitioner for grant of regular bail had been dismissed vide order dated 28.02.2024. The instant one has been filed within a period of nine months of the said order. It is well settled proposition of law that when successive bail applications come before the Court, the Court should be very cautious while considering the same. Successive bail applications can be entertained by the Court when some substantial change is established by the accused thereby making him entitled for grant of bail. Reference in this regard can be made to ***State of Maharashtra Vs. Captain Buddhikota Subha Rao, AIR 1989 Supreme Court, 2292***, wherein it was observed so and it was further held that the Court should not pass an order of release of an accused on bail in successive bail application merely establishing some cosmetic change between time gap

2025:PHHC:016909



of two applications. There must be some drastic change during the period between two applications. Reference can also be made to ***Kalyan Chandra Sarkar Vs. Rajesh Ranjan @ Pappu Yadav and another, (2004) 7 SCC 528***, wherein it was observed by Hon'ble Supreme Court that where the offence alleged against an accused is grave, bail cannot be granted only on the ground of long incarceration.

7. After hearing the contentions as raised by learned counsel for the petitioner, I am of the considered opinion that no substantial or drastic change from the date of dismissal of the previous petition as moved by the petitioner has been pointed out or made out from the pleas taken by the petitioner. Merely the extended/prolonged period of incarceration or examination of some material witnesses is not a ground to extend any such benefit. It is also relevant to mention here that the victim has since been examined and she has fully supported the prosecution case. There are serious and specific allegations against the petitioner. The trial is also going on at a good pace and there is nothing to show that there would be any undue delay in conclusion of the same. Keeping in view the nature and gravity of the offence, in my considered opinion, it is not a fit case to enlarge the petitioner on bail, especially in view of the fact that no drastic or material change in the circumstances has been made out. In view of the discussion as made above, but without meaning to make any comment on the merits of the case, I am of the considered opinion that the petition does not deserve to be allowed. Hence, the same is dismissed.

2025:PHHC:016909



8. It is made clear that the observations made hereinabove are only for the purpose of deciding the present petition and the same shall not be construed as an expression of opinion on the merits of the case.

05.02.2025
Parveen Sharma

(MANISHA BATRA)
JUDGE

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