



IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

(230)

CRM-M-59582-2025 (O&M)
Date of Decision: 15.12.2025

MANAV MEHRA

.....Petitioner

Versus

STATE OF HARYANA

.....Respondent

CORAM: HON'BLE MS. JUSTICE KIRTI SINGH

Present: Mr. Yashveer Kharb, Advocate for the petitioner.

Mr. Brijesh Sharma, AAG, Haryana.

KIRTI SINGH, J. (ORAL)

1. The jurisdiction of this Court under Section 483 BNSS has been invoked for grant of regular bail to the petitioner in case FIR No.11 dated 16.02.2025 under Sections 35, 351(3) and 65(1) of BNS and Section 6 of POCSO Act, (final report submitted under Sections 351(3) and 64(1) of BNS and Section 6 of POCSO Act), registered at Police Station Women Police Station, Panipat, District Panipat.

2. The translated version of the FIR is reproduced below:-

“To the SHO Sahib, Women Police Station, Panipat, R/MADAM, it is requested that I xxxxxxxxx am D/O xxxxxxxxx is resident of xxxxxxxxx, my age is about 16.5 years, about 2 years ago, Manav Mehra S/O Jogendra Mehra resident of Chawla Kirana Store Ward No. 11 used to come to my house, he was my brother's friend, I got acquainted with him, about six months ago, he called me to the bus stand and took me to a hotel, the name of which only he can tell, after taking me there, he did wrong act with me against my will and threatened me that if I told this to anyone, then he would kill me and my brother, due to fear, I did not tell this to anyone in my house, by showing this fear, he again called me to the bus stand hotel, Panipat and did wrong things against my will. He got clicked my obscene photos. I was scared of his threats. He had threatened me that if I told these things to anyone, he would make my obscene photos viral on social media, After that, he forcefully called me to his house in ward no. 11 several times and even there he did wrong things against my will several times. When I got fed up with his actions, I stopped talking to him.



Yesterday, on 15/2/25, I had my 10th class English paper which was to be held in Arya School GT Road. When I was returning home from school by bus, there Manav Mehra, his friend Noni, and another boy, whom I can recognize, stopped their bike in front of my school bus and forcibly pulled me off the bus and tried to take me away. The school staff and the bus driver saved me from them. They were openly threatening me that if I did not obey them, they would kill me and my brother. Manav Mehra is a dangerous boy and several cases have been filed against him. Due to fear of him, I did not tell my family anything at first, but after the act he committed with his friends, I told my family about it. I and my brother are in grave danger from them. Therefore, I request you to please take strict legal action against Manav Mehra, Noni, and his friend, whom I can recognize if they appear, and please protect my and my brother's life and property. Date: 16/2/2025."

3. Learned counsel for the petitioner *inter alia* submits that the petitioner has been falsely implicated in the instant FIR on the statement of the prosecutrix. It is submitted that a bare perusal of the FIR as also the statement of the prosecutrix recorded under Section 164 Cr.P.C., reveals that vague and non specific allegations have been levelled against the petitioner, which remain uncorroborated by way of any evidence, including medical or otherwise, on record. Learned counsel further submits that there is an inordinate and unexplained delay in the lodging of the FIR, since the alleged first incident had occurred six months prior to the registration of the FIR. Furthermore, two other persons against whom allegations had been levelled by the prosecutrix, were declared innocent by the investigating agency. A copy of the deposition of the prosecutrix as PW-1 has been submitted in Court today, which is taken on record. Relying upon the same, it is submitted that the prosecutrix resiled from her complaint and the previous statements recorded during the investigation, and did not support the case of the prosecution against the petitioner. He further submits that the petitioner has undergone an actual custody of 9 months and 20 days.

4. *Per contra*, learned State counsel has vehemently opposed the submissions made by the learned counsel for the petitioner. He states that the

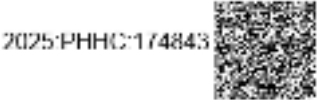


petitioner was actively involved in the commission of the offence. He has filed custody certificate in Court today and the same is taken on record. As per custody certificate, the petitioner has undergone an actual custody of 9 months and 20 days. There was one other case registered against the petitioner, however, he stands acquitted in the same. Investigation is complete. The final report under Section 173 Cr.P.C. was presented before the concerned Court. The charges were framed on 18.04.2025 and out of a total of 21 prosecution witnesses, one has been examined. He submits that in view of the serious allegations against the petitioner, he is not entitled to the concession of regular bail.

5. Heard the rival submissions made by learned counsel for the parties.

6. Admittedly, the charges were framed on 18.04.2025 and out of total 21 prosecution witnesses, only one have been examined till date. The petitioner has undergone actual custody of 9 months and 20 days. The veracity of the allegations leveled against the petitioner shall be established during the course of the trial. No useful purpose shall be served by further detention of the accused-petitioner. Keeping the petitioner in further detention without the prospect of the trial being concluded in the near future, would be violative of his rights under Article 21 of the Constitution of India including the right to speedy trial, and is against the principle “Bail is a rule, jail is an exception” as elucidated in the judgment of Apex Court in **“Dataram Singh vs. State of Uttar Pradesh and another”, (2018) 3 SCC 22.**

7. Without commenting anything on the merits of the case, lest it may prejudice the trial, the present petition is allowed and the petitioner is ordered to be released on regular bail on his furnishing adequate bail/surety



bonds to the satisfaction of the concerned learned trial Court/Duty Magistrate. The petitioner shall also abide by the following conditions:-

- (i) The petitioner will not tamper with the evidence during the trial.
- (ii) The petitioner will not pressurize/intimidate the prosecution witness(s).
- (iii) The petitioner will appear before the trial Court on the date fixed, unless personal presence is exempted.
- (iv) The petitioner shall not commit an offence similar to the offence of which he is accused of, or for commission of which he is suspected.
- (v) The petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

8. In case of breach of any of the above conditions, the prosecution shall be at liberty to move an application for cancellation of bail before this Court.

9. However, nothing stated above shall be construed as a final expression of opinion on the merits of the case and the trial Court would proceed independently of the observations made in the present case which are only for the purpose of adjudicating the present bail petition.

10. Pending miscellaneous application(s), if any, also stands disposed of.

(KIRTI SINGH)
JUDGE

December 15, 2025
Ithlesh

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