

2025:PHHC:154624



CRM-M-61474-2025 (O&M)

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

CRM-M-61474-2025 (O&M)

Reserved on : 10.11.2025

Pronounced on: 11.11.2025

UDHAY SINGH

... Petitioner

VERSUS

STATE OF HARYANA

... Respondent

CORAM: HON'BLE MS. JUSTICE SHALINI SINGH NAGPAL

Present: Mr. Ashit Malik, Sr. Advocate with
Mr. Abhinav Kansal, Advocate and
Mr. K.S. Cheema, Advocate for the petitioner.

Ms. Kanica Sachdeva, DAG Haryana.

Mr. Abhinav, Advocate
for the complainant.

SHALINI SINGH NAGPAL, J.

Petitioner seeks regular bail in case arising out of FIR No. 22 dated 16.05.2024 under Sections 4 of Protection of Children from Sexual Offences Act, 2012 and Section 506 Indian Penal Code, Police Station Mahila Thana, Karnal. This is the first petition for regular bail.

Prosecutrix, aged 17 years, alleged that Udhay was retired from the Army and her father had been working in his house. Udhay told her father that he would arrange a job for her. On 14.05.2024, she along with her father and Udhay went to Government Hospital, Karnal, for medical examination. Udhay took her to the hospital and told her father to sit on the ground floor. He took



her to a room on the pretext of getting her blood test done, where he threatened to kill her and did wrong act forcibly. She did not disclose the matter to her parents out of fear.

Learned counsel for the petitioner submits that the birth certificate produced by the prosecution to prove date of birth of the prosecutrix was suspicious inasmuch as the registration date was 20.06.2006, whereas the date of birth was 16.12.2006. He further submits that it was a case of false implication, there were contradictions in the first version of the prosecutrix and her statement in the Court, where she claimed that accused took her to Ashok Hotel from the hospital. It was submitted that no CCTV footage was collected by the police during investigation. There was no reason explained as to why the medical examination was done in Indri Hospital and why the FIR was got registered at Karnal. It was argued that statement of material witnesses had been recorded during the trial. Therefore petitioner deserved to be enlarged on bail.

Learned State counsel has placed on record the custody certificate. She assisted by learned counsel for the victim/complainant has opposed the prayer for bail arguing that the child victim fully supported prosecution case when she appeared as a witness. DNA report was yet pending and considering the serious nature of allegations, petitioner did not deserve to be enlarged on bail, despite the period of incarceration.

Intrinsic value of statement of the prosecutrix and certificate of her date of birth is to be assessed by the trial Court at the time of final adjudication

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of the case. Petitioner, a 43 years old retired army man, is alleged to have committed penetrative sexual assault on the victim child on the pretext of procuring a job for her. Allegations are serious, specific and in view of the nature and substance of allegations against the petitioner, quantum of sentence conviction may entail and all relevant facts and circumstances of the case, no ground is made out to enlarge the petitioner on bail. Therefore, without commenting upon the merits of the case, the petition stands dismissed.

(SHALINI SINGH NAGPAL)
JUDGE

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Ajay Goswami

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No