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

CRM-M-64327-2024 (O&M)

Date of decision: 12.08.2025

Narayan @ Narender

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Ms. Pooja Jaglan, Advocate
for the petitioner.

Mr. Shiva Khurmi, DAG, Haryana.

Mr. Yashveer Kharb, Advocate
for the complainant.

MANJARI NEHRU KAUL, J.

1. The instant petition, as cast under Section 439 Cr.P.C., for grant of relief of regular bail to the petitioner, in case FIR No.151 dated 18.05.2024 (Annexure P-1), under Sections 363, 366-A and 506 of the IPC, 1860, registered at Police Station Israna, District Panipat.

2. Learned counsel for the petitioner submits that the petitioner has been in custody since 18.05.2024 and all the four material witnesses, including the victim stand examined. It has been further submitted that while getting her statement recorded under Section 164 Cr.P.C. the victim had categorically stated that the petitioner was taking her to his sister's house, when she and the petitioner were caught by her father and uncle. Learned counsel for the petitioner has submitted that a false and



embellished version having been brought forth is also evident from the fact that while stepping into the witness box the victim has material improvements, wherein she has alleged that it was on the pretext of performing marriage with her, the petitioner had lured her from her parental house. Learned counsel for the petitioner has submitted that all this needs to be appreciated in the background of the victim refusing to get herself medicolegally examined after she was purportedly found along with the petitioner.

3. Learned counsel for the petitioner has, therefore, urged that in the circumstances, more so when the possibility of the trial concluding in the near future does not arise, the petitioner's further incarceration would serve no useful purpose and there can be no apprehension of petitioner intimidating / influencing the remaining witnesses.

4. Learned State counsel assisted by Mr. Yashveer Kharb, Advocate for the complainant, while opposing the prayer and submissions made by the learned opposite have not disputed the custody of the petitioner, nor have they disputed the stage of trial. It has also not been disputed that while getting her statement recorded under Section 164 Cr.P.C. the victim had not levelled any allegations of being abducted by the petitioner to his sister's house; it was rather only during her deposition as PW-5, she had for the first time testified that the petitioner had lured her from her parents house on the pretext of solemnizing marriage. On a pointed query, learned State counsel has also not disputed that there was no material evidence on record to suggest that the victim had been sexually assaulted by the petitioner.



5. I have heard learned counsel for the parties and perused the relevant material on record.

6. The petitioner is in custody since 18.05.2024 and the fact that while getting her statement recorded under Section 164 Cr.P.C. the victim had not levelled any allegations of being abducted by the petitioner to his sister's house; it was rather only during her deposition as PW-5, she had for the first time testified that the petitioner had lured her from her parents house on the pretext of solemnizing marriage. Accordingly, the instant petition is allowed. The petitioner be admitted to bail to the satisfaction of the trial Court/ Duty Magistrate concerned.

7. However, it is made clear that anything observed here-in-above shall not be construed to be an expression of opinion on the merits of the case.

12.08.2025

Satyawan

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No