



CRM-M-67-2025 (O&M)

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

CRM-M-67-2025 (O&M)

Date of Decision:-20.01.2025

Bijender

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present:- Mr. Rajesh Nain, Advocate for the petitioner.

Mr. Vishal Kashyap, DAG, Haryana

JASGURPREET SINGH PURI J.(Oral)

1. The present petition has been filed under Section 483 of BNSS, for grant of regular bail to the petitioner in case bearing FIR No.244 dated 22.08.2024 under Sections 64(1), 333, 351(2) of BNS, 2023, registered at Police Station Uchana, District Jind, Haryana.

2. Learned counsel appearing on behalf of the petitioner submitted that petitioner is in custody for about 05 months and he has been falsely implicated in the present case. While giving the details of the prosecution's story, he submitted that one FIR was registered on 22.08.2024 in which the prosecutrix had alleged that she is in a live-in relationship with one person namely Vikas and about 20 days ago while she was alone at home, present petitioner, who is also the uncle of the aforesaid person Vikas, came to her



CRM-M-67-2025 (O&M)

house and started doing wrong activities with her against her wishes and also threatened to kill her if it was disclosed to anyone.

3. Learned counsel submitted that the aforesaid prosecutrix is otherwise a married lady of the age of 40 years but she is living in a live-in relationship with another person namely Vikas. According to her own complaint, which was the basis of the FIR, the allegation against the petitioner is that he being the uncle of the aforesaid Vikas in relation, had committed a wrongful act towards her. He further submitted that there was a delay of 20 days in filing the FIR and as per the medical report, no external injury was found on the body of the aforesaid prosecutrix. The FSL report regarding semen was also negative. He submitted that the entire purpose of filing the complaint by the complainant was to abuse the process of law by blackmailing the petitioner. The investigation of the case has already been completed and thereafter the challan has also been presented. He further contended that considering the aforesaid facts and circumstances, the petitioner may be considered for the grant of regular bail.

4.. On the other hand, learned State counsel submitted that, insofar as the custody of the petitioner is concerned, the same is correct and the investigation in the present case has already been completed and challan has also been presented. He further submitted that since the allegations against the petitioner are serious pertaining to commission of a wrongful act with the prosecutrix, he does not deserve the concession of regular bail. So far as the FSL report is concerned, he also submitted that no semen was detected and the report was negative, which was likely due to the delay of 20 days in lodging the FIR from the date of the alleged occurrence.

5. I have heard the learned counsels for the parties.



CRM-M-67-2025 (O&M)

6. The custody of the petitioner has come out to be about 05 months. The investigation in the present case has already been completed and the challan has also been presented. It is a case where as per the FIR the prosecutrix lodged a complaint by stating that she is in a live-in relationship with one Vikas. As per the learned counsel for the petitioner, the aforesaid prosecutrix is already a married lady but is living elsewhere in a live-in relationship with Vikas, who is stated to be a relative of the present petitioner. The FIR was lodged 20 days after the alleged occurrence and the FSL report has come in negative. The medical report which has been so read over by learned counsel for the petitioner before this court, there is no external injury marks on the body of the prosecutrix. The prosecutrix is also stated to be 40 years of age.

7. After hearing the learned counsels for the parties, this Court is of the view that considering the aforesaid facts and circumstances, the petitioner deserves the concession of regular bail.

8. Consequently, the present petition is allowed. The petitioner shall be released on regular bail, if not required in any other case, subject to furnishing bail bonds/surety bonds to the satisfaction of the learned trial Court/Duty Magistrate concerned.

9. However, anything observed hereinabove shall not be treated as an expression of opinion on the merits of the case and is meant for the purpose of deciding the present petition only

(JASGURPREET SINGH PURI)
JUDGE

20.01.2025

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