



CRM-M-4786-2026 (O&M)

-1-

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

206

CRM-M-4786-2026 (O&M)
Date of decision: 19.03.2026

NAVDEEP

...Petitioner

VERSUS

STATE OF HARYANA AND ANOTHER

...Respondents

CORAM: HON'BLE MS. JUSTICE SHALINI SINGH NAGPALPresent: Mr. Sagar Dangi, Advocate
for the petitioner.

Ms. Kanica Sachdeva, DAG Haryana.

SHALINI SINGH NAGPAL, J. (ORAL)

1. Petitioner seeks regular bail in case vide FIR No.151 dated 11.08.2024 registered under Sections 376(3), 376(2)(n) of IPC, 1860 and Section 3 and 6 of Protection of Children from Sexual Offences Act, 2012, Police Station Bahu Akbarpur, District Rohtak, Haryana. Offences under Section 376 2(f), 376AB, 506 IPC were added in the FIR and Section 3 POCSO Act was deleted from the FIR during investigation. This is the second petition for regular bail. First petition was dismissed on merits on 26.08.2025.

2. In her complaint to the police, prosecutrix stated that she was 16 years old and her date of birth was 02.11.2008. She was a student of Class 11 in the village school. Sandeep s/o Azad r/o Madina aged 30 years, her uncle had been harassing her for the last 2-3 years. He behaved inappropriately with her and when she resisted, he told her to enjoy as there was nothing wrong with his acts. Sandeep frequently visited their house and forcibly took her with him on



CRM-M-4786-2026 (O&M)

-2-

the pretext of fetching water from nearby village, despite her refusal. In April 2024, Sandeep came to her house and asked her to go with him. She accompanied Sandeep to the old house, where Sandeep gave her water. After consuming water, she became unconscious and in that condition, Sandeep committed wrong act, whereafter, he fled out of fear. When she regained consciousness after two hours, she did not see him for the next 3-4 days. Out of fear of her family members, she kept quiet. Thereafter, also Sandeep continued to sexually harass her. She informed her mother on 05.08.2024 regarding pain abdomen when she did not have her menstrual period for four months. She was taken to Balaji Private Hospital, where she was declared five months pregnant. At that stage, she disclosed everything to her mother. Her mother came directly to PGIMS, Rohtak. Legal action against Sandeep was prayed for.

3. The only submission of learned counsel for the petitioner is that there was only a DNA analysis report against the petitioner, which was just an opinion of expert and in the absence of substantive evidence, the same could not be used against the petitioner. It was argued that the DNA profile matched as petitioner was in the same family pool. It was thus prayed that petitioner be enlarged on regular bail. In support of his arguments, he referred to judgment of Rajasthan High Court bearing No. CrI.A No. 667/2024 decided on 09.10.2024 titled *State of Rajasthan, Through Public Prosecutor Vs. Shyam Kumar*.

4. Learned State counsel has opposed the prayer for regular bail on the ground that after dismissal of the first application for regular bail, there was no fresh ground made out for release of the petitioner on regular bail. She



further submits that the trial was at fag end as only 02 witnesses out of 27, remain to be examined.

5. Relevant portion of order dated 26.08.2025 passed by this Court is reproduced as under:

“5. The prosecutrix, a child aged 16 years, was impregnated and her pregnancy was terminated in PGIMS, Rohtak after 5 months. The petitioner is cousin brother of the prosecutrix. Though, he was not named in the FIR, his name figured in the supplementary statement of the prosecutrix. Even though the prosecutrix has not chosen to implicate him in her statement before the Court, the DNA report is inculpatory.

6. The allegations in the present case are of incestual sexual abuse by no other than uncle of the prosecutrix and her cousin brother. The crime alleged is of demonic character, leaving the child scarred for life and deserves severest condemnation.

7. Considering the relationship of the petitioner with the prosecutrix, the manner in which the offence was committed over a period of time, gravity of the offence and all relevant facts and circumstances of the case, it is not a fit case to enlarge the petitioner on regular bail, despite the period of his incarceration.”

6. There being no substantial change in the circumstances after dismissal of the first application for regular bail, the second application for regular bail is declined.

7. Nothing observed hereinabove shall be construed as an opinion on merits of the case.
8. Pending miscellaneous applications, if any, stand disposed of.

MARCH 19, 2026

Ajay Goswami

Whether speaking/reasoned

Whether reportable

(SHALINI SINGH NAGPAL)

JUDGE

: Yes/No

: Yes/No