



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

210

CRM-M-4009-2025

Date of Decision: 19.01.2026

AKASH

....Petitioner

VERSUS

STATE OF HARYANA

....Respondents(s)

CORAM : HON'BLE MR. JUSTICE ALOK JAIN

Present : Mr. Ram Kumar Saini, Advocate for the petitioner.

Ms. Swati Batra, Sr. DAG, Haryana.

Mr. Ankit Singla, Advocate and

Mr. Hitesh Chauhan, Advocate for respondent no.2.

ALOK JAIN, J. (Oral)

1. The present petition has been *inter alia* filed praying for grant of regular bail to the petitioner in case FIR No.48 dated 11.05.2024, under Section 506 of IPC and Sections 17, 4 of Protection of Children from Sexual Offences Act, 2012 (Section 14 of Protection of Children from Sexual Offences Act, 2012 added later on), registered at Police Station; Women Police Station, Ballabgarh, District Faridabad.

2. Learned counsel for the petitioner submits that the petitioner has been wrongly implicated in the present FIR and that absolutely no proper investigation has taken place. Learned counsel further submits that the petitioner had solemnized a love marriage with the cousin sister of the prosecutrix, and therefore his name has been

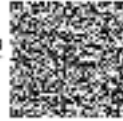


falsely roped in as an accomplice of the main accused, with whom the prosecutrix was allegedly in a relationship. It is further submitted that only vague and bald allegations have been made against the petitioner. Learned counsel contends that certain photographs were alleged to have been uploaded on Instagram and circulated to different persons and relatives of the complainant; however, no such photographs are available on record in the police file. Learned counsel further submits that the prosecutrix and the complainant have been deliberately protracting the trial, as they have failed to appear repeatedly for almost the last one year and are not coming forward to have their testimonies recorded.

3. Learned State counsel, on a specific query, submits that only a cursory investigation has been conducted. Learned counsel submitted that the alleged photographs are not available and have never seen the light of day. Learned State counsel also submits that the mobile phone of the petitioner has already been seized and CFSL report is still awaited.

4. Learned State counsel has filed custody certificate and as per which, petitioner is in custody for last 01 year 06 months 08 days and learned counsel does not deny the above said factual position.

5. Heard learned counsel for the parties at length and have gone through the record carefully.



6. In light of above and considering the act and conduct of the complainant as well as of the prosecutrix coupled with the fact that petitioner is in custody for last 01 year 06 months 08 days and the trial is likely to take considerable time, therefore, no useful purpose would be served by keeping the petitioner in custody. Accordingly, the petitioner is held entitled to the concession of regular bail as the complainant and the prosecutrix cannot be permitted to procrastinate the trial by repeatedly absenting themselves.

7. Without commenting upon the merits of the case, the present petition stands allowed and the petitioner is ordered to be released on bail, if not required in any other case, on furnishing bail bonds and surety bonds to the satisfaction of the trial Court/Duty Magistrate, concerned. The petitioner shall, however, be released on the following conditions:

- i. The petitioner shall declare his ordinary place of residence and the mobile number used by him.
- ii. The petitioner will not switch off his mobile and in case of any technical glitch, he/she has to give an alternate number, which will be available in his/her absence.
- iii. The petitioner will mark his presence before the SHO concerned, after every 15 days and in case the SHO refuses to mark his presence, he is permitted to make an application before the Illaqa Magistrate, concerned.
- iv. The petitioner will not leave the country without the prior permission of the Court, for which he will submit the copy of his passport also. However, in case the petitioner



does not possess a passport, then he shall file an undertaking to the said effect before being released.

The petitioner shall abide by the terms and conditions as imposed in addition to Section 483 of BNSS, 2023.

8. However, nothing stated above shall be construed as a final expression of opinion on the merits of the case and this order shall not be considered as parity qua any other co-accused in any manner whatsoever.

9. It is further made clear that, in case, the petitioner is found involved in any such activity once again, the State is at liberty to promptly move an appropriate application for cancellation of bail detailing out the circumstances and violation of conditions of bail.

10. Pending application(s), if any, shall stand disposed of.

(ALOK JAIN)
JUDGE

19.01.2026
Deepak Patwal

- | | | |
|----|---------------------------|--------|
| 1. | Whether speaking/reasoned | Yes/No |
| 2. | Whether reportable | Yes/No |