

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

2026-PHHC:062705



CRM-M-4985 of 2026 (O&M)
Reserved on: 23.04.2026
Pronounced on: 24.04.2026
Uploaded on: 24.04.2026

Akram @ Vaseem Akram

..Petitioner

Versus

State of Haryana

..Respondent

CORAM: HON'BLE MS. JUSTICE SHALINI SINGH NAGPAL

Present: Mr. Aman Arora, Advocate
for the petitioner.

Mr. Kshitij Bharti, AAG Haryana.

Mr. Ravi Malik, Advocate for the complainant.

SHALINI SINGH NAGPAL, J.

Petitioner seeks regular bail in case vide FIR No. 80 dated 25.07.2023, under Sections 376-D and 365 IPC (366 IPC added lateron), Police Station District Palwal. This is the second petition for regular bail. First petition was dismissed as withdrawn on 12.11.2025.

Complainant reported to the police that on 23.07.2023 at about 9:00 p.m., his daughter 'S' aged 18, went to the fields in front of their house to defecate. He and his wife went looking for her when she did not return after an hour but could not find her in the fields. Thereafter, they searched for her all night and found her the next day i.e. on 24.07.2023 at around 6:00 a.m in a lonely house built in the fields of Akram son of Fayaz, 1 km away from the house. 'S' was found lying unconscious in the fields and

was brought home. After an hour, she regained consciousness and shared that while she was in the fields relieving herself, two boys Akram son of Fayaz and Mansaad son of Harsad suddenly appeared, stuffed her mouth and grabbed her. They picked her up and took her to a house in the forest, where two other boys were already present. All of them raped her one by one. Akram violated her first, followed by the others who forcibly raped her rendering her unconscious.

Learned counsel for the petitioner submits that petitioner was behind bars for the last two years and one day. Out of 18, only 3 prosecution witnesses were examined. Prosecutrix had been examined during trial. Her statement recorded during investigation contradicted her statement made in the Court. Father of the prosecutrix was intentionally not coming forward. Learned counsel further submits the no external injury on body of the prosecutrix was found at the time of her medical examination. Though FIR was registered under Section 376-D, challan was presented only against the petitioner. Application under Section 319 Cr.P.C. moved by the prosecution was declined by the Court. It was urged that petitioner and the prosecutrix were in consensual relationship and the case was lodged when father of the prosecutrix learnt about their relations. Petitioner was arrested after 9 months and was in custody since long, therefore, he deserved to be enlarged on bail.

Learned State counsel has placed custody certificate on record and assisted by Mr. Ravi Malik, Advocate for the complainant, has opposed the prayer for bail arguing that DNA profile of the petitioner matched with the vaginal swab of the victim. Though there was no other case pending

against the petitioner, the offence was heinous and petitioner was not entitled to bail in view of the gravity.

Petitioner is alleged to have sexually violated the prosecutrix in the night of 24.07.2023 when she went to defecate in the fields. As per case set up she was found lying unconscious in the fields of the petitioner. Even though statement of the prosecutrix has been recorded during trial of the case, allegations against the petitioner are grave. There is no reason to *prima-facie* believe that relationship of the petitioner with the prosecutrix was consensual in nature. Considering the nature and substance of allegations against the petitioner, the *prima-facie* evidence of his involvement in the offence, the role attributed to him, the quantum of punishment conviction may entail and all relevant facts and circumstances of the case, it is not a fit case for bail despite the period of incarceration.

Dismissed.

All the pending miscellaneous applications, if any, stand disposed of.

(SHALINI SINGH NAGPAL)
JUDGE

24.04.2026

reema
Whether speaking/reasoned : Yes
Whether reportable : No