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(209)

IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

CRA-S-491-2026

Date of Decision: 12.03.2026

PRAVEEN KUMAR @ PRAVEEN SUJAMA

... Appellant

Versus

STATE OF HARYANA

...Respondent

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. Samay Singh Sandhawalia, Advocate  
for the appellant.

Mr. Ramesh Kumar, DAG, Haryana.

Mr. Manjeet Singh, Advocate  
for complainant.

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**JASJIT SINGH BEDI, J.**

The present appeal has been preferred against the judgment dated 20.12.2025 passed by the Addl. Sessions Judge, Special Court, Kaithal in case bearing FIR No.41 dated 21.02.2025 U/s 70(2), 351(3), 61, 61(2)(A), 308(2), 308(6), 3(5), 199(c), 319(2) BNS, 6 POCSO Act, 3, 4, 5, 7 Immoral Trafficking Act, 3(2)(va), 3(2)(v) SC and ST Act and 7, 12 the Prevention of Corruption Act, 1988 at Police Station City Kaithal, dismissing the bail petition of the appellant.

2. The present FIR came to be registered at the instance of Nancy D/o Sanjay and the same reads as under:-

*“To The SHO, Police Station City Kaithal. Sir, I request that I am Nancy daughter of Sanjay, resident of Rajori Garden Colony*



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*Kaithal. I am 17 years old. After the death of my father, my mother left me with my aunt Anju and went to live with another man, due to which I used to live with my aunt. My aunt used to trouble me a lot at home, due to which I left home. About 7/8 months ago, Balinder, resident of Sind (Mob. 9671368616) met me in Jawahar Park Kaithal and by luring me, took me to his hotel R. N. Karnal Road, Kaithal, where he raped me against my will and started keeping me in his hotel. During this time he raped me several times. Balinder started sending me to other hotels for prostitution, from which he earned a lot of money. Troubled by this work, I wanted to complain against Balinder in the police station, but Balinder and his friend Pradeep Kyodak (Lawyer 8222912960) threatened me that they will sell me in Nepal and by threatening me Pradeep Kyodak also kept raping me. During this time, to avoid any police action, Balinder and Pradeep lawyer got my false relationship papers made with Balinder's friend Gagan. I kept tolerating all this for about 7 months due to the fear of Balinder and Pradeep Kyodak. In September, 2024, Balinder took me to RN Hotel. During this time lawyer Pradeep Kyodak also came there and on that day Balinder and Pradeep Kyodak raped me. Pradeep Kyodak and Balinder Singh along with other friends conspired and called Praveen Sajuma to their hotel with the intention of blackmailing and earning money and forced me to have a relationship with Praveen Sajuma. With the intention of extorting money under the conspiracy, Balinder and Pradeep Kyodak and his other friends pressurized me and threatened to kill me and got me to sign a complaint in Pradeep lawyer's chamber against Praveen Sajuma for rape and making the obscene video viral. They gave that complaint to police station Civil Line Kaithal. They refused me to join the complaint in the police station. Pradeep Kyodak and Balinder, in collusion with the police, extorted about 1.5 lakh rupees from Praveen Sajuma in my name and when I gathered*



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*courage and went to the police station to complain, Neetu Madam told me that your compromise has been made. I told Madam that I have not made any compromise nor have I given any affidavit. Balinder and Pradeep Advocate after coming to know about this incident, both of them still follow me and scare, intimidate and threaten to kill me. I do not want to take any against action them in Police Station Civil Line Kaithal because the police there is colluded with them. That is why I have come to you to lodge a complaint. Please get me justice and take appropriate legal action against Balinder, Pradeep Advocate Kyodak and their other companions. From the summary of the complaint received in the police station, the crime under sections 70(2), 351(3), 61, 308 (2), 3(5) BNS and 6 POCSO Act was found to have been committed and the above mentioned case was registered. The initial investigation of the case was conducted by Lady SI Sunita No.205/Kaithal Police Station City Kaithal. Thanking you. Applicant Nancy d/o Sanjay, resident of Rajori Garden Colony, Kaithal, Mobile No.8708596570.”*

3. During the course of the investigation, the statement under Section 164 Cr.P.C. (Annexure P-2) of Nancy was recorded and the same reads as under:-

*“FIR No.41 dated 21.02.2025*

*U/s 3(5), 308(2), 351(3), 61, 70(2) BNS and Sec. 6 POCSO, P.S. Kaithal City.*

*Statement of Nancy D/o Sanjay aged about 17 years, R/o Parth Nagar Kaithal.*

*Q. Are you going to school?*

*Ans. Now I am not going and I studied upto 6<sup>th</sup> class.*

*Q. Who many persons are in the family?*

*Ans. My father expired and my mother is living with some other person and I am living alone after taking room.*



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*Q. Why you come here?*

*Ans. I came to get record my statement.*

*From the aforesaid answers, I am satisfied that she is able to give rationale answers. Hence I proceed with to record her statement.*

*Stated that I went from my house. I was sitting at Jawahar Park, where Balinder came and he taken me to R.N. Hotel after enticing me, where he committed rape upon me against my wishes. He used to send me in the Hotels for doing the work. Pardeep Advocate came to R.N. Hotel and Balinder and Pardeep Advocate committed wrong act with me. When I said that I will give your complaint, then they said that they will send me to Nepal. They started keeping me in their Hotel and one day he called Parveen Sajuma at his hotel and said that he wants to extort money from him and they made my relations with him forcibly*

*Q. Do you want to say anything more?*

*Ans. No.*

*RO&AC*

*Identified by Sunita No.205/KR*

*Sd/- Nancy*

*P.S. City Kaithal*

*Date: 21.02.2025”*

4. The learned counsel for the appellant contends that a perusal of the FIR and the statement under Section 164 Cr.P.C. (Annexure P-2) would reveal that Praveen Kumar @ Praveen Sujama was brought to the hotel and made to enter into a relationship with the prosecutrix with a view to extort money from him. In furtherance of the said act, a sum of Rs.1.5 lakhs has been extorted from the appellant. As the appellant is in custody since 28.04.2025 but only 19 of the 51 prosecution witnesses have been examined so far, the trial of the present case is not likely to be concluded anytime soon and therefore, he is entitled to the concession of bail.

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5. On the other hand, the learned State counsel along with the learned counsel for the complainant contend that as per the statement of Nancy recorded under Section 164 Cr.P.C. (Annexure P-2), she has categorically averred that the co-accused had brought Praveen Kumar @ Praveen Sujama (appellant) to the hotel and in order to extort money from him they had forcibly made her enter into a physical relationship with him. This version has been somewhat reiterated in her deposition as PW1. Once there are categoric averments of sexual intercourse without consent, the question of grant of bail does not arise.

6. I have heard the learned counsel for the parties.

7. A perusal of the statement under Section 164 Cr.P.C. and the deposition of the prosecutrix would *prima facie* establish that the appellant committed sexual intercourse upon her without her consent. Merely because he was brought to the hotel to indulge in this act with the aim to extort money from him would not in any way lessen his culpability.

8. In view of the above, I find no merit in the present appeal. Therefore, the same stands dismissed.

**(JASJIT SINGH BEDI)**  
**JUDGE**

**12.03.2026**

JITESH

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