



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

CRM-M-10372-2026 (O&M)

Reserved on: 26.02.2026

Pronounced on: 05.03.2026

Uploaded on: 05.03.2026

KAPIL

...Petitioner

V/S

STATE OF HARYANA

...Respondent

CORAM: HON'BLE MS. JUSTICE SHALINI SINGH NAGPAL

Argued by: Mr. Naresh Jain, Advocate
for the petitioner.

Ms. Kanica Sachdeva, DAG Haryana.

Mr. Rupender Singh, Advocate
for the complainant.

SHALINI SINGH NAGPAL, J.

1. Petitioner seeks regular bail in case arising out of FIR No. 192 dated 23.09.2025 under Sections 64(1), 74, 351(2), 316(2), 127(2), 3(5) Bharatiya Nyaya Sanhita, 2023, Police Station Nathusari Chopta, District Sirsa. This is the first petition for regular bail.

2. The complainant alleged that she was a divorced woman, working as a Sanskrit teacher in a government school in Indri, District Nuh, since August 2024 and had been residing in a PG at Sohna. In the year 2023, she was residing in her village, when she met Suman, who was married to the petitioner. She and Suman were schoolmates and were preparing for examinations together. During that period, the petitioner started visiting her house for getting exam notes and assignments and became friendly with her family members. He borrowed Rs. 4

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to 5 lakhs from her mother and also started talking to her over the phone in the capacity of brother-in-law. By July-August 2024, the complainant and her mother had given approximately Rs. 20 lakhs to the petitioner. In October 2024, she went to his office on Sirsa Road at Chopta to collect the money they gave him. Petitioner and Surendra were present there. Petitioner offered her tea and thereafter tried to force himself upon her, while Surendra locked the office door from outside. Complainant threatened to commit suicide if he did anything wrong with her, upon which he forced her to write a suicide note stating that if anything happened to her, he would not be responsible. Out of fear, she did not disclose the incident to anyone. In the evening, petitioner apologized to her via WhatsApp call, made her speak to his wife, assuring her that such incident would not happen again and promised to return the money soon.

3. On the 27th December, she spoke with the petitioner regarding her M.A. English (IGNOU) examination scheduled at Gurgaon on 28th December and he agreed to drop her there. On the way to Gurgaon, petitioner promised to stay with her for life. Thus, he deceived her to travel to Agra and Vrindavan, where they stayed in a hotel, however, nothing happened between them. On 30th December, he dropped her back at Sohna. In the night of 19th July 2025, under the influence of alcohol, he threatened her, asked her to leave her home and called her to the temple for performing marriage but she refused as he was drunk. The next day, he expressed his feelings to her and they continued to talk. On 19th July 2025, he called her on Sohna road and again expressed his feelings saying that he would leave everything including his family for her and started

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crying with folded hands which made her emotional and she agreed to accompany him. Thereafter, they boarded an auto for Gurugram. On the way, they both deposited their IDs in hotel White rock opposite BSF and stayed in room No. 310 where he treated her as his wife, established physical relations with her and also made her video in a naked state. Thereafter, she advised him to go back to his house and to take legal advice so that they could have a live-in relationship. The next day, when they checked out from the hotel, he left for Gurugram.

4. Complainant further alleged that he called her on whatsapp and showed her the videos and photos recorded that day on the screen of another phone. He said his purpose was accomplished and threatened to kill her, her son and ruin her life if she did not obey him. Then, he repeatedly threatened her and demanded Rs.5 lakhs. She showed her inability but he remained persistent with his demand. Due to the blackmail, she withdrew 4 lakh rupees from her SBI bank account in village Kagdana, brought Rs.1 lakh from her home and gave it to him in the bank, which was recorded in CCTV cameras in the bank. Then, he called her to meet him but she did not go. He used all her land and property records to transfer record in the name of three persons who were known to him, on government portal. When her mother threatened legal action, he got it deleted from the portal. On 10.09.2025 at around 9-10 PM, he went to her house and threatened her and her family. He then went to his village Gigorani along with 5-7 people and went to the house of Vikram to kill him.



5. On 11.09.2025 he called her on whatsapp, demanded Rs. 10 lakh saying that he needed the money for the treatment of his father and wanted her to give testimony in his favour. She requested him to spare her as she had nothing left but he remained persistent. The next day, she took her mother to Sirsa city hospital and gave him 5 lakh which was arranged by her by selling land which was in her mother's name and by taking gold loan from the bank. She stated that till now, more than 30 lakhs has been embezzled by the accused and he had exploited her financially, socially, mentally and physically. She was left with no other option but to commit suicide.

3. Learned counsel for the petitioner submits that prosecutrix was in live-in relationship with the petitioner for 03 years. Both were mature adults. Prosecutrix was a divorced woman, with a 12 years old son and petitioner too was married. Before registration of FIR, the complaint of prosecutrix was enquired into by Deputy Superintendent of Police, who found that physical relations were established with consent and filed the complaint. Learned counsel further submits that financial transactions between the petitioner and prosecutrix, occurred as petitioner had been managing all the finances on behalf of the prosecutrix. No offence was made out, even if the allegations in the FIR were accepted as correct and it was a clear case for grant of regular bail.

6. Learned State counsel has opposed the prayer for regular bail submitting that prosecutrix was being mentally and physically exploited by the petitioner. She reiterated her version in her statement recorded under Section 164 Cr.P.C. and trial was at the initial stage. Considering the serious nature of

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allegations against the petitioner, he did not deserve the concession of regular bail. Learned counsel for the complainant also vehemently opposed the prayer for bail.

7. The FIR itself discloses that the petitioner was known to the prosecutrix since 2023 and that prosecutrix was aware that the petitioner was married. Prosecutrix is a mature woman with 12 years old child. The consensual live-in relationship between the parties has also been disclosed in the FIR. The first complaint filed by the prosecutrix was enquired into by a Gazetted Officer of the rank of Deputy Superintendent of Police, Law and Order, Sirsa who concluded that no case was made out as physical relations were established with consent. Petitioner has no criminal antecedents and has a fixed abode. There is no reason to believe that he would obstruct the course of trial, which is likely to take long to conclude. In the facts and circumstances of the case, but without commenting on merits, the petition is allowed. Petitioner-Kapil is ordered to be released on regular bail on his furnishing requisite bail bonds/surety bonds to the satisfaction of learned trial Court/Illaqa Magistrate/Chief Judicial Magistrate.

(SHALINI SINGH NAGPAL)
JUDGE

Reserved on: 26.02.2026
Pronounced on: 05.03.2026

Ajay Goswami

Whether speaking/reasoned
Whether reportable

: Yes/No
: Yes/No