



CRM-M-11222-2026 (O&M)

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

212

CRM-M-11222-2026 (O&M)

Reserved on: 29.04.2026

Pronounced on: 04.05.2026

Uploaded on: 04.05.2026

DEVRAJ

PETITIONER

VERSUS

STATE OF HARYANA

RESPONDENT

CORAM: HON'BLE MS. JUSTICE SHALINI SINGH NAGPAL

Argued by: Ms. Sakshi Khara, Advocate for the petitioner.

Mr. Kshitij Bharti, AAG Haryana.

Shalini Singh Nagpal, J.

1. Petitioner seeks regular bail in FIR No.397 dated 28.05.2024 under Sections 376(2)(n), 328, 406, 323, 384, 506 and 120B IPC and Section 66E of the Information Technology (Amendment) Act, 2008, Police Station, City Ballabgarh, District Fariadabad, Haryana. This is the first petition for regular bail.

2. Prosecutrix, a student of 3rd Year B.A. programme alleged that in October, 2022, she met Devraj s/o Raj Singh Tewatia, resident of Dhota Village, Palwal on *Instagram* and started talking. She met him on 13.11.2022 at Ballabhgarh Metro Station and went back home. On 22.11.2022, she again met him at Ballabhgarh Metro Station, consumed *paranthas* that he had with him after which she felt unwell. Accused took her to OYO Hotel near the Metro Station where she fell asleep. After four to five hours, she woke up and they went back home. A few days later, in December, 2022, accused again asked her to meet but she refused. He insisted and on her refusal, he sent her nude pictures on her *Whatsapp* number. He had taken the pictures on 22.11.2022 in the hotel when she was in unconscious state. He threatened to make the pictures viral. In December, 2022, she went to meet him in OYO



CRM-M-11222-2026 (O&M)

Hotel where he had physical relations without her consent. She again asked him to delete the photos, but he refused. Thereafter, again he took her to OYO Hotel where he forced himself on her on the assurance that he would marry her. Then he asked her for money to buy medicine. He called her to OYO Hotels many a times and asked her to make physical relations, threatening to make her pictures viral. During this time, he took approximately ₹4,00,000/- from her and kept demanding money. She gave him her mother's jewellery- a mangalsutra, six rings, earrings. In October, 2023, he switched off his mobile phone. Later, she came to know that he was in jail and that he consumed drugs. In December, 2023, he called her again and insisted on meeting her but she blocked him. On 28.05.2024, when her mother searched for her missing jewellery and made inquiries, she gathered courage and told her everything.

3. Learned counsel for the petitioner submits that petitioner was behind bars for the last one year. It was a case of consensual relationship turned sour. Petitioner was in relationship with the prosecutrix since the year 2022. The parties were together of their own volition. The police had collected hotel records showing that prosecutrix had herself supplied copy of her Aadhar Card. False story of financial transactions and taking of jewellery of her mother was cooked up by the prosecutrix. The jewellery bill made over to the police pertained to the year, 2024, thus, revealing falsehood and fabrication. It was co-accused Satish, who had taken the jewellery and pledged the same for gold loan. Co-accused had already been allowed regular bail by learned Sessions Court. Further incarceration of the petitioner was not justified and petitioner deserved to be released on regular bail, particularly, when the prosecutrix was intentionally avoiding appearance before learned Trial Court to prolong petitioner's custody.



CRM-M-11222-2026 (O&M)

4. Learned State counsel has filed status report. He opposes the prayer for regular bail on the ground of serious allegations against the petitioner who committed rape many a times on false pretext of marriage and blackmailed prosecutrix on the pretext of making her nude pictures and videos viral. It was argued that in case petitioner was released on bail, he may intimidate the witnesses or tamper with the trial.

5. As per FIR version, relationship of the prosecutrix with the petitioner continued from 2022 to 2024. It is not the case of the prosecution that during investigation, any obscene picture or video of the prosecutrix has been recovered. Petitioner is behind bars for the last more than one year. Prosecutrix is a mature adult, old enough to judge the consequences of her own acts. There is long delay in reporting the matter to the police. No witness of the prosecution has been examined till now and petitioner's fundamental right to speedy trial is jeopardized. Even though, petitioner is involved in one another case, that alone cannot be sufficient ground to decline bail to him. Co-accused Satish has already been allowed bail, though, allegations against him are less grave. In the facts and circumstances of the case, but without meaning to express any opinion on merits of the case, the petition is allowed. Petitioner is ordered to be released on regular bail, subject to his furnishing adequate bail and surety bonds to the satisfaction of Trial Court/Duty Magistrate.

6. Pending miscellaneous applications, if any, also stand disposed of.

(SHALINI SINGH NAGPAL)
JUDGE

04.05.2026
HS.CHAUHAN

Whether Speaking/Reasoned :
Whether Reportable :

Yes/No
Yes/No