



CRM-M-11914-2026 (O&M)

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

CRM-M-11914-2026 (O&M)

Reserved on: 11.03.2026

Pronounced on: 13.03.2026

Uploaded on: 13.03.2026

AAKASH

...Petitioner

VERSUS

STATE OF HARYANA AND ANOTHER

...Respondent

CORAM: HON'BLE MS. JUSTICE SHALINI SINGH NAGPALPresent: Mr. Shivani Jaglan, Advocate
for the petitioner.

Ms. Kanica Sachdeva, DAG Haryana.

Mr. Ajay Bhatia, Advocate
for respondent No. 2.

SHALINI SINGH NAGPAL, J. (ORAL)

1. Petitioner seeks regular bail in case arising out of FIR No. 261 dated 06.09.2025 under Sections 137, 65(1), 87, 351(3) Bharatiya Nyaya Sanhita, 2023 Police Station Model Town, Panipat. Offence under Section 4 Protection of Children from Sexual Offences Act, 2012 added in the FIR and Section 6 POCSO Act, 64(1) BNS were deleted from the FIR during investigation. This is the first petition for regular bail.

2. Complainant reported to the police that he was driver of an e-rickshaw. After death of his brother, he was looking after his two children Mohit and daughter 'M' aged 14 years. On 04.09.2025 at about 8.00 PM, his niece was enticed and allured away by Akash son of Mahender resident of Panipat, who



took her with him on his motorcycle at Hotel Raj Mahal, where he forcibly committed rape and threatened to kill her.

3. Learned counsel for the petitioner submits that petitioner was innocent and had been falsely implicated. Prosecutrix had since been examined during the trial, but she did not identify the petitioner as the person who committed rape. Even complainant had sworn an affidavit on the lines that he lodged the case due to some misunderstanding and petitioner did not commit any wrong with his niece. When examined in the Court, he too did not incriminate the petitioner. As per entry dated 04.09.2025 in the register of the hotel, only signatures of the petitioner were present. There was no CCTV footage of the hotel recovered by the police and petitioner, who was behind bars since 17.09.2025, deserved to be enlarged on bail.

4. Learned State counsel submits that 03 witnesses had been examined in the case including the victim and complainant and all three did not support the prosecution case. However, she opposed the prayer for regular bail on the ground of serious nature of allegations.

5. Mr. Ajay Bhatia, Advocate has put in appearance on behalf of respondent No. 2 and filed his power of attorney. He has not opposed the prayer for regular bail.

6. Complainant and victim have been recorded during the course of trial. Thus, petitioner has no occasion to influence the main witnesses or tamper with evidence. He is behind bars since 17.09.2025 i.e. for the last 05 months 22 days. Conclusion of trial is likely to take long. Petitioner has a fixed abode and there is no apprehension expressed that he would evade the trial or obstruct the

course of justice. The petition is therefore allowed. Petitioner-Aakash is ordered to be released on regular bail subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of learned trial Court/Illaq Magistrate/Chief Judicial Magistrate.

7. Nothing observed hereinabove shall be construed as an opinion on merits of the case.

MARCH 13, 2026

Ajay Goswami

Whether speaking/reasoned

Whether reportable

(SHALINI SINGH NAGPAL)

JUDGE

: Yes/No

: Yes/No