



CRM-M-3415-2026 (O&M) and one more case

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

**Reserved on: 11.05.2026
Pronounced on: 12.05.2026
Uploaded on: 12.05.2026**

1. CRM-M-3415-2026

ARUN KUMAR

...Petitioner

VERSUS

STATE OF HARYANA AND ANOTHER

...Respondents

2. CRM-M-16544-2026

DEV KUMAR

...Petitioner

VERSUS

STATE OF HARYANA

....Respondent

CORAM: HON'BLE MS. JUSTICE SHALINI SINGH NAGPAL

Argued by: Mr. Karandeep, Advocate
for Mr. Randeep S. Dhull, Advocate
for the petitioner in CRM-M-3415-2026.

Mr. Sayyam Garg, Advocate,
Mr. Gautam Narain, Advocate and
Mr. Rohit Dagar, Advocate
for the petitioner in CRM-M-16544-2026.

Mr. Kshitij Bharti, Assistant Advocate General, Haryana.

Ms. Prabhjot Kaur, Advocate
for respondent No. 2.

SHALINI SINGH NAGPAL, J.

1. This common order decides two petitions detailed above, both seeking regular bail in case arising out of FIR No. 343 dated 31.07.2025 under Sections 123, 308(2), 351(2), 3(5) Bharatiya Nyaya Sanhita, 2023 and Section 6

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Protection of Children from Sexual Offences Act, 2012, Police Station City Sohna, District Gurugram. Both are the first petitions for regular bail.

2. Complainant, father of the prosecutrix reported that he had two children and his youngest daughter 'P', who was 15 years old, was student of Class 10th. For the past 10-11 days, she was quite and upset. When they made enquiries, she would not say anything and would start crying. On repeated questioning, she disclosed that she was friends with Nishu @ Sonu and had been talking to him on the phone of her grand mother. In May 2025, Nishu @ Sonu called her to Oyo Hotel in front of Bus Stand, where they had food and she returned home. After 2-3 days, he again called her to the same hotel. He made her drink intoxicating cold drink, which rendered her unconscious, whereafter he committed wrongful acts with her. When she regained consciousness, she was in severe pain. When she confronted him, he told her that he had taken pictures and videos of wrong acts and threatened to upload the photos and videos on internet. Under threat, he repeatedly called her to Oyo hotel and committed wrong acts multiple times. In June, 2025, he and his brother Arun asked her to bring cash lying in her home, by threatening her. Out of fear, she removed 04-05 bundles of ₹500/- denomination, approximately to ₹25,00,000/- to ₹30,00,000/-, filled them in a bag and made over the money to Dev near Devi Mandir, who took the money and left. His daughter informed about the incident to him and his wife. Legal action was prayed for.

3. Learned counsel for petitioner-Dev submits that petitioner was in custody for the last about 09 months. There was no allegation of sexual assault against the petitioner and he was involved on the allegation that he acted as a

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carrier to collect money from the prosecutrix. There was no allegation of any threat extended and offence of extortion was also not made out. Recovery had already been effected from the petitioner. As such, he deserved to be enlarged on regular bail.

4. Learned counsel for the petitioner-Arun submits that he too was not attributed sexual assault, which was attributed to co-accused Nishu @ Sonu. The allegations levelled against him were vague and omnibus without any date or time of incident. Petitioner was behind bars for the last 09 months. 4-5 bundles of cash allegedly picked up by the prosecutrix, could not be ₹20,00,000/- or more, as alleged. As such, the petitioner deserved to be released on regular bail.

5. Learned State counsel has filed custody certificate(s) and status report(s) by way of affidavit(s) of Jitender, HPS, Assistant Commissioner of Police, Sohna, Gurugram. He opposed the prayer for regular bail of both petitioners submitting that prosecutrix made statement under Section 183 BNSS alleging that Arun and Nishu @ Sonu threatened her on the phone to bring money and she handed over the money to his friend-Dev. Disclosure statement of the petitioners were recorded, wherein they admitted their involvement. Maruti Car and two phones purchased from the extorted money were recovered during the course of investigation. Petitioner-Arun had invested ₹11,00,000/- out of ₹13,00,000/-, which fell to his share, to purchase a plot in Sohna, as per his disclosure statement. Remaining amount of ₹2,00,000/- was recovered from him, while accused Dev got recovered ₹5,000/-, which was taken into possession. Both petitioners played active role in the commission of offence

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and were privy to the conspiracy with the main accused to blackmail the victim and extort money.

6. Learned counsel for respondent No. 2 also opposed the prayer for regular bail of both the petitioners on the ground of serious and specific nature of allegations.

7. Petitioner-Arun is alleged to have conspired with the main accused, who repeatedly sexually violated the prosecutrix and to have extorted about ₹20,00,000/- from her, under threat of making her obscene videos and photos viral. Petitioner-Arun is alleged to have directly threatened the prosecutrix. Role attributed to petitioner-Dev is that he was friend of main accused Nishu @ Sonu, took the sum of ₹20,00,000/- from the prosecutrix to deliver to the co-accused. It is alleged that out of the said amount, ₹13,00,000/- was given to petitioner-Arun, a part of which i.e. ₹11,00,000/- was invested in a plot and remaining Rs. 2,00,000/- was got recovered.

8. As against petitioner-Dev, there is no allegation of extending threat or of extorting money. He is stated to have collected the money and delivered it. His antecedents are clean and he is in custody for last 09 months. Considering the nature and substance of allegations against petitioner, Dev and role attributed to him, the fact that trial would take long time to conclude, petition bearing No. CRM-M-16455-2026 is allowed. Petitioner-Dev Kumar is ordered to be released on regular bail on furnishing requisite bail bonds/surety bonds to the satisfaction of learned trial Court/Illaq Magistrate/Chief Judicial Magistrate.

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9. Petitioner Arun Kumar is alleged to have conspired with the main accused and to have played active role in the commission of extortion of money from the victim child, aged 15 years. It is prosecution case that he along with co-accused, threatened the victim to given money under fear of making her obscene videos and photos viral. Considering the nature and substance of allegations against him, the claim that police has recovered ₹2,00,000/-, from his possession, it is not a fit case to enlarge the petitioner-Arun Kumar on regular bail. The Court has every reason to believe that in case of release on bail, he would make an attempt to tamper with the evidence and influence the witnesses. Moreover, he is resident of District Mathura, Uttar Pradesh and possibility of his evading the process of law cannot be rules out. As such, petition bearing No. CRM-M-3415-2026 is dismissed.

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

11. Pending CRM(s), if any, are also disposed of accordingly.

12. A photocopy of this order be placed on the file of other connected case.

(SHALINI SINGH NAGPAL)
JUDGE

May 12, 2026

Ajay Goswami

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