

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

2026:PHHC:055505



205

CRM-M-14564 of 2026 (O&M)

Reserved on: 07.04.2026

Pronounced on:09.04.2026

Uploaded on:09.04.2026

Ritesh Kumar Yadav

..Petitioner

Versus

State of Haryana and another

..Respondent

CORAM: HON'BLE MS. JUSTICE SHALINI SINGH NAGPAL

Present: Mr. Akun Sheemar, Advocate for
Mr. Rahul Paul, Advocate
for the petitioner.

Mr. Kshitij Bharti, AAG Haryana.

Mr. Gurmandeep Singh Sullar, Advocate
Ms. Devki Anand Sullar, Advocate and
Mr. Haneesh Kumar, Advocate
for respondent No.2.

Complainant Shalu appeared through V.C.

SHALINI SINGH NAGPAL, J.

Petitioner seeks regular bail in case vide FIR No. 006 dated 04.01.2025, under Sections 376(2)(n) of IPC (Section 64(2) of BNS 2023) and Section 4 of Protection of Children from Sexual Offences Act, 2012, Police Station Majesar, District Fardiabad. This is the first petition for regular bail.

Prosecutrix stated that she was born on 12.12.2001 and remained at home. Her mother worked as a maid in houses while her father worked in a private company. She had been talking with Ritesh Yadav,

through facebook since March 2019. Thereafter, they started speaking on phone and became lovers. Ritesh asked her to marry him to which she agreed. In August 2019, Ritesh visited her house to talk to her parents about her marriage. Her parents agreed for the marriage. In November 2019, her parents had gone to the village for constructions of house, while she and her brother were in Faridabad. Whenever she asked Ritesh to bring his parents home, Ritesh evaded the matter. On 07.12.2019 on his birthday when there was no one at home and she was alone, Ritesh came to her house at around 8:00 p.m. to celebrate his birthday and committed rape forcefully, without her consent saying that he would marry her soon. On that account, she did not disclose the incident to anyone. Ritesh had been committing rape forcefully by promising to marry her from 07.12.2019 to May 2024. He used to take her to OYO in Sarurpur Main Road, Fariyon, on the pretext of marriage. On 03.12.2024, she learnt that Ritesh had married some girl, she called him but his phone was switched off. She then gathered courage, informed her family members and thereafter came to report the matter.

Learned counsel for the petitioner submits that at the time of commission of alleged offence, prosecutrix was about to attain the age of majority. She was only four days short of 18. Now both the prosecutrix and petitioner were married elsewhere and wanted to settle in their matrimonial life. The matter had been compromised, a petition for quashing of the FIR on the basis of compromise was also filed before this Court. The petitioner who was in custody w.e.f. 10.11.2025 thus deserved to be enlarged on regular bail.

Learned State counsel opposes the prayer for regular bail on the ground of serious nature of allegations against the petitioner who was accused of committing aggravated penetrative sexual assault on a minor.

Learned counsel for the complainant submits that the matter had been compromised and he had no objection to release of the petitioner on bail.

Date of birth of the prosecutrix as per FIR is 12.12.2001. The offence was allegedly committed on 07.12.2019, when prosecutrix was 4 days short of attaining majority. It is prosecution version that the relationship continued for 5 long years from 2019 to 2024. The case has been registered only on 04.01.2025. Petitioner is behind bars for the last more than four months. Investigation is complete and challan has been presented in the Court. In the facts and circumstances of the case, further incarceration of the petitioner is not warranted. 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.

All the pending miscellaneous applications, if any, stand disposed of.

(SHALINI SINGH NAGPAL)
JUDGE

09.04.2026

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Whether speaking/reasoned	:	Yes
Whether reportable	:	No