

CRM-M-16068 of 2026(O&M)

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

2026:PHHC:079123



CRM-M-16068 of 2026(O&M)

Reserved on: 18.05.2026

Pronounced on:20.05.2026

Uploaded on:20.05.2026

Sumit

..Petitioner

Versus

State of Haryana

..Respondent

CORAM: HON'BLE MS. JUSTICE SHALINI SINGH NAGPAL

Present: Mr. Karnesh Verma, Advocate,
Mr. Vineet Yadav, Advocate and
Mr. Ramesh Kumar, Advocate
for the petitioner.

Mr. Kshitij Bharti, AAG Haryana.

SHALINI SINGH NAGPAL, JUDGE

Petitioner seeks regular bail in case vide FIR No.778 of 2024 dated 06.12.2024, under Sections 64(1), 143(2), 64(2)(M) of BNS, 2023 or 376, 370 IPC, Police Station Gurugram Sadar, Haryana. This is the first petition for regular bail.

2. Complainant-prosecutrix alleged that she was married two months ago. About 10-12 days ago, her husband sent her to Gurugram to work as a maid with Sheikh Shamsood Rehman, his friend. Sheikh Shamsood Rehman took her to his house in Sector 38, where he lived with his wife. She lived in the house of Sheikh Shamsood Rehman for 5-6 days

CRM-M-16068 of 2026(O&M)

where she did cleaning and cooking. 3-4 days ago, Sheikh Shamsood Rehman and his wife left her in a Hotel, where she stayed for three nights. While in the Hotel, 3-4 different men forcibly had sex with her every night. Before that, when she was living with Sheikh Shamsood Rehman, he too had sex with her during the day. When she was left at the hotel, a cleaning boy forcibly had sex with her. In the morning, when she was in the Hotel, she managed to flee and approach the police.

3. Learned counsel for the petitioner submits that petitioner was behind bars w.e.f. 07.12.2024. Two co-accused namely Shabnam and Anand Mohan Singh had since been released on regular bail. FSL report was not incriminating. No CCTV footage was collected by the police to prove that prosecutrix was taken to Hotel. Only one witness out of 14 was examined. Prosecutrix was a foreign national who had been shifted permanently to Finland through resettlement program of refugees by United Nations High Commission for Refugees (UNHCR), India office. No test identification parade was ever conducted for verification and identification of the accused and prosecution was unable to procure presence of the prosecutrix for the last five consecutive dates. Petitioner, therefore, deserved to be released on bail.

4. Learned State counsel has filed status report in the form of affidavit of Amit Bhatia, HPS, Assistant Commissioner of Police, Sadar, Gurugram, Haryana and has opposed the prayer for bail submitting that the petitioner was employed in the Hotel as cleaner. He took advantage of vulnerable state of the prosecutrix and repeatedly subjected her forcible intercourse over a period of three days. Victim was unable to effectively

CRM-M-16068 of 2026(O&M)

understand and communicate in Hindi and petitioner exploited the situation to sexually assault her. Thus, he was not entitled to concession of bail.

5. The case relates to continuous and repeated sexual exploitation of the victim a Bangladeshi aged 21 years, who was employed as a maid in the house of the main accused, who ravished her sexually everyday and later left her in a Hotel where 3-4 persons including the petitioner had forcible sex with her. Prosecutrix is yet to be examined in the case. Case of the petitioner cannot be treated at par with the co-accused against whom there was no allegation of sexual assault. Considering the nature and substance of allegations against the petitioner, the role attributed to him, the quantum of punishment conviction may entail as also the fact that prosecutrix is yet to be examined, it is not a fit case to enlarge the petitioner on bail.

6. Dismissed.

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

(SHALINI SINGH NAGPAL)
JUDGE

20.05.2026

reema
Whether speaking/reasoned : Yes
Whether reportable : No