

209

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

CRM-M-15424-2025

Date of Decision:- 03.02.2026

SANJAY KUMAR

...Petitioner

Vs.

STATE OF HARYANA

...Respondent

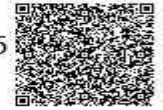
CORAM:- HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present:- Mr. R.S. Rai, Sr. Advocate with Mr. Anurag Arora, Advocate
and Mr. Sukhsharan Sra, Advocate for the petitioner.
Mr. Ayuwan Singh, AAG, Haryana.
Mr. Balraj Gujjar, Advocate for the complainant.

AMARJOT BHATTI, J.

1. Petitioner Sanjay Kumar has filed instant petition under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of anticipatory bail in FIR No.19 dated 19.02.2025 under Sections 115, 3 (5), 351 (3) and 64 (2) (F) registered at Women Police Station Bhiwani, District Bhiwani (Annexure P-1).

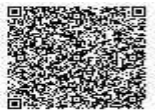
2. As per facts of the case, complainant 'M' aged about 18 years gave her statement that she was studying in 12th class. On 30.08.2024 there was parents teacher meeting in the school. Her uncle Sanjay son of Maha Singh came to attend the meeting. Meeting was over at about 11 am and she sat in the car No.HR-29AL-7830. Her uncle took her in a deserted place and committed forcible rape with her. She was dropped at Mini by-pass Kaunt Road and threatened not to disclose about the incident to anybody. Out of fear, she did not tell to anybody. On 07.09.2024 her uncle came to pick her from school at about 12.30 noon. He started talking to her



at the gate of the school. She refused to accompany him and her uncle gave her beating. Her friend intervened. She disclosed the behaviour of her uncle to her friends who further informed their class teachers Madam Anita and Sheetal. Teacher called her mother and disclosed everything to her. Her mother 'S' went to the house of Sanjay where she was beaten up by him along with his wife Suman and two sons. After four days, Ramkesh brother of Sanjay came to their house who is serving in Railway Police and openly proclaimed that nothing can happen to them. Finally, matter was reported to the police and present FIR has been registered.

3. Learned counsel representing petitioner denied the allegations. It is pointed out that on account of family dispute false allegations have been levelled against the petitioner. Suman wife of petitioner had filed a complaint dated 18.02.2025 (Annexure P-2) and one FIR No.20 dated 19.02.2025 under Sections 332 (b), 351 (3), 64 (2) (f), 64 (2) (1) of Bharatiya Nyaya Sanhita, 2023, Women Police Station Bhiwani registered at her instance is Annexure P-4. Ramkesh is also falsely implicated in this case. Petitioner is ready to join the investigation and will abide by the terms of bail order. His anticipatory bail application was wrongly declined by Additional Sessions Judge, Bhiwani vide order dated 17.03.2025 (Annexure P-9). It is submitted that anticipatory bail petition filed by the petitioner may be allowed.

4. Bail petition is opposed by learned counsel representing State assisted by learned counsel representing the complainant. It is pointed out that there are specific serious allegations against the petitioner. Investigation in this case is going on. Statements of witnesses are being



recorded. Call detail record is also being procured. During investigation Ramkesh, Suman, Suresh, Ankit and Sagar were found to be innocent. Efforts are being made to arrest the petitioner.

5. I have considered the arguments and have gone through the record carefully. It has come in the order dated 17.03.2025 (Annexure P-9) that present petitioner is serving in Haryana Police. He is paternal uncle/*tau* of the petitioner. There are specific serious allegations of rape and threats against the petitioner. So far as the complaint filed by wife of petitioner (Annexure P-2) and the FIR (Annexure P-4) are of subsequent period. First occurrence took place on 30.08.2024 and the second occurrence took place on 07.09.2024. FIR was lodged later-on. It cannot be ignored that present petitioner is serving in Haryana Police who is yet to join the investigation.

6. Considering the nature of allegations and exploitation of the victim who is his niece, I do not find a fit case for grant of anticipatory bail and the same is, accordingly, declined.

7. Pending misc. application, if any, stands disposed of.

(AMARJOT BHATTI)
JUDGE

03.02.2026

snd

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