



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

CRM-M-16648-2026 (O&M)

Reserved on: 25.05.2026

Pronounced on: 26.05.2026

NAVEEN @ BALLAN

...Petitioner

Versus

STATE OF HARYANA AND OTHERS

...Respondents

Coram: Hon'ble Mrs. Justice Shalini Singh Nagpal

Argued by: Mr. Johan Kumar, Advocate
for the petitioner.

Mr. Kshitij Bharti, AAG Haryana.

SHALINI SINGH NAGPAL J.

1. Petitioner seeks regular bail in case arising out of FIR No. 178 dated 17.06.2025 under Section 25 of Arms Act 1959, Section 6 of Protection of Children from Sexual Offences Act, 2012 and Sections 115(2), 332(c), 70(2) Bhartiya Nyaya Sanhita, 2023, Police Station Chand Hut, Palwal District Palwal. Offence under Sections 70(1), 115 BNS was deleted from the FIR during investigation. This is the first petition for regular bail.

2. Father of the prosecutrix stated that on 15.06.2025, his daughter 'A' was sleeping in the courtyard of the house. At about 1.30 AM, he found her missing. They searched for her in the neighbourhood, in the village and entered the house of Surjeet on hearing noise. They found 'A' inside, trembling, in naked condition and three persons, Sunil son of Laxman, Naveen son of Bhagan and Surjeet Son of Vijay Singh were also standing in naked condition. They had committed rape with 'A'. When they tried to nab them, Surjeet and Sunil fled with their clothes while Naveen was caught at



the spot. He was beaten up. Police was called at No. 112. 'A' informed them that at about 12.30 AM, those three entered the house, gagged her mouth and took her away by showing arms, weapons and knife. She was then beaten up and raped by them. Naveen was made over to the police and his daughter was brought to the police station.

3. Learned counsel for the petitioner submits that the petitioner was in custody for more than 11 months. Co-accused Surjeet and Sunil had already been allowed regular bail. Prosecutrix, who was examined as a witness during the trial, supported prosecution case only against the petitioner exonerating Sunil and Surjeet. In her statement recorded under Section 164 Cr.P.C., prosecutrix substantially changed her version. No such incident had ever occurred. Petitioner was beaten up at the house of Surjeet, real uncle of the prosecutrix. Semen was detected only on the contraceptives, which were lying in the house of Surjeet and petitioner had no concern with the same. There was no mark of injury on the prosecutrix. On the date alleged occurrence, she was 17 years 10 months and 26 days old. Petitioner, thus, deserved to be released on regular bail.

4. Learned State counsel has opposed the prayer for regular bail in view of serious nature of allegations against the petitioner, who kidnapped minor prosecutrix from her house and sexually assaulted her along with two other co-accused Surjeet and Sunil. It is urged that petitioner was caught red handed at the spot. The medico legal report recorded history of kidnapping and rape. The Bed sheet, undergarments of the petitioner and contraceptives were recovered from the spot. DNA report was yet awaited and considering the serious nature of allegations, petitioner did not deserve to be enlarged on bail.



5. In her statement recorded under Section 183 BNSS, prosecutrix stated that on 15.06.2025 at about 12.30 AM, when she was sleeping in her courtyard, Sunil pressed her mouth, Surjeet and Naveen caught her and all three of them took her to the house of Surjeet, where they violated her one by one, showing pistol and knife. When her father and neighbours came searching for her, Sunil and Surjeet fled while Naveen was caught and made over to the police.

6. Prosecutrix has been examined during the course of trial and has supported prosecution case as against the petitioner. As per report of FSL, human semen was detected in the 04 contraceptives recovered from the spot. Petitioner is alleged to have been nabbed at the spot and thrashed by father of the prosecutrix and other family members at about 2.30 AM. Considering the grievous nature of allegations levelled against the petitioner, the role attributed to him, age of prosecutrix, quantum of punishment conviction may entail and all relevant facts and circumstances of the case, it is not a fit case to enlarge the petitioner on regular bail. As such, the petition is dismissed.

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

(SHALINI SINGH NAGPAL)
JUDGE

Reserved on: 25.05.2026

Pronounced on: 26.05.2026

Ajay Goswami

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No