

CRM-M-17977 of 2026(O&M)

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

2026:PHHC:082892



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Reserved on: 22.05.2026

Pronounced on:26.05.2026

Uploaded on:26.05.2026

Ribhav @ Ribhu Tyagi

..Petitioner

Versus

State of Haryana and others

..Respondents

CORAM: HON'BLE MS. JUSTICE SHALINI SINGH NAGPAL

Present: Mr. Parveen Chauhan, Advocate
for the petitioner.

Mr. Kshitij Bharti, AAG Haryana.

SHALINI SINGH NAGPAL, J.

Petitioner seeks regular bail in case vide FIR No. 360 dated 27.08.2024, under Sections 323 IPC and Sections 6 and 17 of POCSO Act and Section 75 of J.J. Act, Police Station Kheripul, Faridabad. This is the first petition for regular bail.

2. Complainant, father of the prosecutrix reported that he and his wife were living separately for the last 8-9 years. All his three daughters were living with him and occasionally went to their mother's home to stay for 2-3 days. His wife had an affair with Ribhu Tyagi for last many years. His youngest daughter 'R' aged 15 years was suffering stomach pain for the last 2-3 days. When he made inquiries, she informed that Ribhu Tyagi, who lived with her mother raped her on 25.2.2020, 26.2.2020 and 02.03.2020.

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She further told that she has shared the episode with her mother who threatened her not to tell anyone. Legal action against Ribhu Tyagi and his wife Rajni was prayed for. On registration of FIR, petitioner was arrested and his disclosure statement was recorded. The victim was medico-legally examined at B.K. Hospital, Faridabad. On 29.8.2024, foetus and DNA sample was obtained.

3. Learned counsel for the petitioner submits that prosecutrix and complainant, her father were both stood examined in the case. They did not say a word against the petitioner and were declared hostile. Petitioner had clean antecedents and there was no other case is pending against him. Mere gravity of offence was not sufficient when material witnesses did not support prosecution case. Co-accused Rajni has since been allowed regular bail. Petitioner also deserved to be released on bail considering the statement of the witnesses.

4. Learned State counsel has opposed the prayer for regular bail on the ground of serious nature and gravity of offence. It was urged that after the incident, prosecutrix became pregnant. It was however, conceded that DNA report which was received was not incriminating. As per report of DNA analysis, the accused was not biological father of the foetus.

5. Respondents No.2 and 3 were duly served but did not put in appearance despite due service.

6. Material witnesses have since been examined in the case. They have not supported prosecution case. DNA report too has been received which is not incriminating. There is no reason to believe that petitioner, once released on bail, would obstruct the course of justice. Petitioner is in custody

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for the last 1 year and 9 months and has clean antecedents. In the facts and circumstances of the case but without commenting on merits, 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

26.05.2026

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Whether speaking/reasoned	:	Yes
Whether reportable	:	No