

2026:PHHC:071670



IN THE PUNJAB AND HARYANA HIGH COURT AT
CHANDIGARH

205

CRM-M-17556-2026 (O&M)

Date of decision: 07.05.2026

Aasif Khan

...Petitioner

V/S

State of Haryana and another

...Respondents

CORAM: HON'BLE MS. JUSTICE SHALINI SINGH NAGPAL

Present: Mr. Sahil Gupta, Advocate for the petitioner.

Mr. Kshitij Bharti, AAG, Haryana.

SHALINI SINGH NAGPAL J. (Oral)

1. Petitioner seeks anticipatory bail in case arising out of FIR No.56 dated 11.02.2026, under Section 69 of BNS 2023/Section 376-C of IPC, 1860, Police Station Hodal, District Palwal, Haryana.

This is the first petition for anticipatory bail.

2. While passing notice of motion on 02.04.2026, following order was passed by this Court:-

“Petitioner seeks anticipatory bail in case arising out of FIR No.56 dated 11.02.2026, under Section 69 of BNS 2023,/Section 376-C of IPC, 1860, Police Station Hodal, District Palwal, Haryana. This is the first petition for anticipatory bail.



Learned counsel for the petitioner submits that the FIR was got registered by prosecutrix on 11.02.2026 alleging that she became acquainted with petitioner, started talking to him and he had sexual intercourse with her on the promise of marriage but refused to marry her. Learned counsel further submits that prior to registration of FIR, on 13.01.2026, prosecutrix had gone to the house of petitioner and called up the Police Helpline No.112. Her statement was recorded by the police helpline on the lines that she was married with one Shahrukh in 2021 and divorced in 2022. Thereafter, she began talking to Aasif and they agreed to get married with the consent of her family members. However, on 12.01.2026 when she reached the house of Aasif, he was found missing and had also refused to marry her. Learned counsel further submits that there was nothing in the first statement dated 13.01.2026 regarding the sexual intercourse on the promise of marriage. Prosecutrix was a married lady and she had not yet been divorced. Petitioner was innocent and had been falsely implicated. His antecedents were clean and he was ready and willing to join investigation.

Notice of motion.



Mr. Vikas Bhardwaj, AAG Haryana, who is present in Court accepts notice on behalf of State and opposes the prayer for anticipatory bail. He submits that the petitioner is the main accused and in her statement under Section 183 BNSS prosecutrix reiterated her first version. Considering the serious nature of allegations, petitioner was not entitled to concession of anticipatory bail.

In the given facts and circumstances of the case, in the event of arrest, petitioner shall be released on interim anticipatory bail subject to his furnishing personal and surety bonds to the satisfaction of the Arresting/Investigating Officer. Petitioner shall join investigation as and when called upon to do so and shall abide by the conditions as envisaged under Section 482(2) of Bharatiya Nagarik Suraksha Sanhita, 2023.

Status report in the matter be filed on 07.05.2026.”

3. Vide order dated 02.04.2026 passed by this Court, the petitioner was granted interim bail and was directed to join investigation.



4. Learned State counsel, on instructions from Investigating Officer submits that petitioner has joined investigation but did not recovered his bike and nor got demarcation effected.

5. Petitioner has joined investigation pursuant to order of this Court dated 02.04.2026. In the circumstances of the case but without commenting on merits, the petition is allowed and order dated 02.04.2026, granting interim anticipatory bail to the petitioner, is made absolute, subject to the conditions laid down in Section 482(2) of Bharatiya Nagrik Suraksha Sanhita (BNSS), 2023.

07.05.2026
Kapil

(SHALINI SINGH NAGPAL)
JUDGE

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