

CRM-M-20263 of 2026(O&M)

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

2026:PHHC:079093



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CRM-M-20263 of 2026(O&M)

Reserved on: 13.05.2026

Pronounced on:20.05.2026

Uploaded on:20.05.2026

Karan Sharma**..Petitioner****Versus****State of Haryana and another****..Respondents****CORAM: HON'BLE MS. JUSTICE SHALINI SINGH NAGPAL****Present:** Mr. Soeb Khan, Advocate
for the petitioner.

Mr. Kshitij Bharti, AAG Haryana.

Mr. Abhishek Goel, Advocate for respondent No.2.

SHALINI SINGH NAGPAL, J.

1. Petitioner seeks regular bail in case vide FIR No.217 dated 20.08.2025 under Sections 351(3) (506 IPC) and 241(477-A IPC) of BNS and 6 of POCSO Act, Police Station Sarai Khawaja, District Faridabad, Haryana. This is the second petition for regular bail. First petition for regular bail was declined vide order dated 30.01.2026.

2. Complainant reported to the police that she was residing as Tenant of Nizam Qureshi Palla. She worked as a cook while her husband worked in a company. She had three sons and a daughter. 'P' her youngest daughter told her that Karan forcibly did wrong act with her for the first time on 10.07.2025 at 8:00 p.m. inside the washroom and when she raised

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alarm, he gagged her mouth. He even made a video of her and threatened to kill her. He repeated the physical act with her again and again and threatened to make the video viral and kill her if she disclosed the incident to anyone.

3. Learned counsel for the petitioner submits that petitioner was in custody w.e.f. 22.08.2025. After dismissal of the first bail application, the complainant and the victim had been examined and were declared hostile. It is further urged that age of the prosecutrix was doubtful as her bone ossification test declared her age between 14 to 16 years. Later, second ossification test declared her age between 16 to 19 years. Petitioner was in custody for the last 7 months and 15 days and had no criminal antecedents. He thus deserved to be enlarged on regular bail.

4. Learned State counsel has opposed the prayer for regular bail on the ground that offence attributed to the petitioner resulted in her pregnancy. DNA comparison report from FSL and DITAC forensic report were yet awaited, besides 26 witnesses were yet to be examined. Conduct of the accused which was systematic, repeated and planned involving video recording for black mailing, did not entitle the petitioner to the concession of bail, in view of the serious nature of offence.

5. Learned counsel for respondent No.2 has no objection to release of the petitioner on bail.

6. First petition for regular bail of the petitioner was declined vide order dated 30.01.2026 (Annexure P-9). At that point of time, prosecutrix had not been recorded. Subsequently on 20.02.2026 statement of the prosecutrix has been recorded and also of her mother, the complainant. Both

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have resiled from prosecution case. The right of an accused to make successive application for grant of bail is recognised in law. After dismissal of the first application for bail, on account of statement of the prosecutrix and her mother having been recorded, a fresh ground for bail accrues in favour of the petitioner persuading this Court to take a different view. 26 witnesses are yet to be examined and conclusion of trial is not in sight. DNA comparison report from FSL and DITAC Forensic report have not been received yet. 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

20.05.2026

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Whether speaking/reasoned : Yes
Whether reportable : No