

CRM-M-26261-2026 (O&M)**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH****121+224****CRM-M-26261-2026 (O&M)
Date of decision: 08.05.2026****Vixxxxxx alias Vixxxxxx****Petitioner****VERSUS****State of Haryana and another****Respondents****CORAM: HON'BLE MS. JUSTICE SHALINI SINGH NAGPAL**

Present: Mr. M.N. Jajoria, Advocate for the petitioner.

Mr. Kshitij Bharti, AAG, Haryana.

Shalini Singh Nagpal, J.**CRM-20715-2026**

The application under Section 528 of BNSS for placing on record amended memo of parties, filed by the applicant/petitioner, is allowed as prayed for. Amended memo of parties is taken on record. Registry is directed to append it at the appropriate place.

Main Case

Petitioner who is accused in FIR No.395 dated 10.11.2025 under Sections 65(1) of BNS and Section 6 of POCSO Act, Police Station Tosham, District Bhiwani for having sexually violated his own daughter, since the child was in class 5th, seeks interim bail on the ground of death of his father. FIR was registered on complaint of Principal of the School where the child was studying.

Learned counsel for the petitioner submits that petitioner was the eldest of his brothers and his presence was essential for performance of

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last rights and rituals of his deceased father who died on 28.04.2026. It is stated that *bhog* ceremony was fixed for 11.05.2026.

Learned State counsel has filed report, wherein the factum of death of father of the petitioner on 28.04.2026 has been verified. It is orally submitted that the *bhog* ceremony of petitioner's father in village Munditaal (Rajgarh), District Churu, Rajasthan was fixed for 11.05.2026.

Considering the severe and grave nature of allegations against the petitioner, it would not be in the interest of the child or in the interest of justice to release the petitioner on interim bail. However, his presence at the time of last rights of his father is also essential. As such, while declining the prayer for interim bail, it is ordered that the concerned Superintendent Jail shall make requisite arrangements to enable the petitioner to attend the *bhog* ceremony of his father in village Munditaal (Rajgarh), District Churu, Rajasthan fixed for 11.05.2026, in custody, if he so desires. After the ceremony, petitioner shall be brought back to the prison where he is confined.

Copy of this order be given **dasti** to learned State counsel who shall convey the same to the concerned Superintendent Jail for compliance.

The petition stands disposed of.

(SHALINI SINGH NAGPAL)
JUDGE

08.05.2026

Kapil

Whether Speaking/Reasoned :
Whether Reportable :

Yes/No
Yes/No