



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

CRM-M-33189-2026(O&M)

Date of decision: 08.06.2026

Neeraj Kumar

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Rishi Pal Rana, Advocate,
for the petitioner.

Ms. Mayuri Lakhanpal Kalia, DAG, Haryana.

Mr. Ritesh Pandey, Advocate, and
Mr. Vinod Pundir, Advocate, for the complainant.

SANDEEP MOUDGIL, J. (ORAL)

Prayer

1. This petition has been filed under Section 482 of BNSS, 2023 for grant of anticipatory bail in FIR No.130, dated 14.05.2026, under Sections 351(2), 74, 75(2), 78 and 79 of BNS, 2023, registered at Police Station Nissing, District Karnal.

Brief facts

2. As per the prosecution case, the complainant, a 21-year-old woman, alleged that on 12.05.2026, while she was proceeding to Shiv Mandir in the village, the petitioner followed her, stepped upon her slipper from behind, touched her shoulder and private parts, and used abusive language when objected to. It was further alleged that the petitioner had been



following the complainant for some time, making improper gestures towards her and thereafter continued to roam around her house, causing her apprehension and fear.

3. Pursuant to the complaint, the aforesaid FIR was registered and investigation commenced. The statement of the complainant was subsequently recorded under Section 183 BNSS before the learned Judicial Magistrate, wherein she reiterated the allegations made in the FIR. The petitioner's application for anticipatory bail was dismissed by the learned Additional Sessions Judge, Karnal, vide order dated 25.05.2026, observing that the allegations were specific, grave and serious in nature and that custodial interrogation was required for a proper investigation. Hence, the present petition.

Submissions

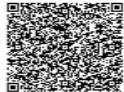
On behalf of the petitioner

4. Learned counsel for the petitioner submits that the FIR in question was registered two days after of the incident, and the said FIR is calculated counter-blast intended to preempt and neutralise the petitioner. He submits that the petitioner has been implicated falsely as there exists an enmity between the families which is the additional backdrop and motive of the same.

5. Notice of motion.

On behalf of respondent-State and Complainant

6. On the asking of the Court, Ms. Mayuri Lakhanpal Kalia, DAG, Haryana accepts notice on behalf of respondent-State. Mr. Ritesh Pandey,



Advocate, caused appearance on behalf of the complainant and has filed his Power of Attorney, which is taken on record.

7. It is submitted that, according to the allegations contained in the FIR, the petitioner had been persistently following the complainant whenever she visited the temple, making objectionable remarks towards her, and on 12.05.2026 allegedly subjected her to inappropriate physical contact with the intention of outraging her modesty. The complainant subsequently reiterated these allegations in her statement recorded under Section 183 of the BNSS, 2023. Thus, the accusations levelled against the petitioner are specific, consistent and of a serious nature. It is further contended that the extraordinary relief of anticipatory bail is intended to be granted only in exceptional circumstances and not as a matter of routine.

8. Heard.

Analysis

9. The FIR as originally recorded specifically alleges that the accused not only stepped upon the complainant's slipper from behind and touched her shoulder, but also touched her private parts. This allegation forms the gravamen of the offences under Sections 74 and 75(2) BNS. The same allegation finds reiteration in the order dated 25.05.2026 passed by the learned Sessions Judge, Karnal, wherein it is recorded that the complainant alleged that the petitioner "put his foot on her slipper from behind, touched her shoulder and private parts."

10. However, in the petitioner's translated version of the FIR, the allegation regarding touching of the complainant's private parts has been omitted and replaced with a vague and diluted narration that the petitioner

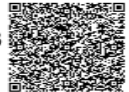


"touched her shoulder and touched her..." without disclosing the complete allegation made in the FIR. The synopsis and grounds repeatedly portray the case as involving only touching of the shoulder, use of improper language, and alleged stalking, while emphasizing absence of medical evidence and independent witnesses.

11. The omission is not a minor linguistic discrepancy but concerns a material accusation forming the very foundation of the offences alleged against the petitioner. Had the complete allegation been fairly disclosed, this Court would have been apprised that the complainant's case was not confined merely to touching the shoulder or passing remarks, but included a specific allegation of physical contact with her private parts, which materially impacts the assessment of the seriousness of the accusations and the prayer for anticipatory bail.

12. A litigant seeking the extraordinary discretionary relief of anticipatory bail is under a duty to make a full, fair and candid disclosure of all material facts. The petitioner, instead of placing the FIR in its true and complete form, chose to rely upon a self-serving translation which concealed a crucial allegation. Such selective reproduction of the FIR had the effect of presenting a substantially diluted version of the prosecution case and was clearly calculated to create an impression that the allegations were confined to innocuous physical contact. The concealment therefore strikes at the root of the petitioner's bona fides.

13. Accordingly, this Court finds that the petitioner has failed to approach the Court with clean hands. The petitioner has deliberately



withheld and suppressed a material part of the allegations contained in the FIR, namely the accusation that he touched the private parts of the complainant. This concealment is significant because the said allegation constitutes the core factual basis of the offences under Sections 74 and 75(2) BNS and bears directly upon the gravity of the accusations as well as the entitlement of the petitioner to the equitable and discretionary relief sought. The suppression of such a material fact amounts to misrepresentation of the record and disentitles the petitioner from invoking the discretionary jurisdiction of this Court. Consequently, on this ground alone, the petition deserves to be dismissed.

Conclusion

14. In view of the facts narrated above, the present petition stands dismissed.

**(SANDEEP MOUDGIL)
JUDGE**

June 8, 2026
sham

Whether speaking / reasoned:
Whether Reportable:

Yes/No
Yes/No