

2026:PHHC:087422



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

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**CRM-M-33733-2026 (O&M)
DECIDED ON: 12.06.2026**

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.....PETITIONER(S)

VERSUS

STATE OF HARYANA

.....RESPONDENT(S)

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. D.S.Adlakha, Advocate for the petitioner(s).
Mr. Ved Parkash, Sr. DAG, Haryana.
Mr. Namit Khurna, Advocate for the complainant.

SANDEEP MOUDGIL, J (ORAL)

1. Prayer

The jurisdiction of this Court has been invoked under Section 482 of BNSS for grant of Anticipatory Bail in a case bearing FIR No. 45 dated 15.05.2026 registered Under Section 6, 17 of the Protection of Children from Sexual Offences Act, 2012 & Section 351(2) BNS at Women Police Station Yamuna Nagar, District Yamuna Nagar

2 Contention

On behalf of the petitioner

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case and the FIR has been lodged after an

unexplained and inordinate delay, which creates serious doubt regarding the genuineness of the allegations levelled therein. It is contended that the allegations are vague, general and omnibus in nature, as no specific date, place or particulars of the alleged incidents have been mentioned despite the allegations pertaining to a period of about three years.

Learned counsel further argues that the prosecution version is inherently improbable and contrary to normal human conduct, particularly in view of the alleged prolonged silence of the prosecutrix. It is submitted that the present FIR appears to be a counterblast to the complaints made by the petitioner and his family members regarding the alleged marriage of the prosecutrix while she was a minor.

It is further contended that there are material contradictions in the prosecution story, particularly regarding the fact that the prosecutrix was allegedly married on 29.04.2026, whereas the allegations proceed on the basis that the petitioner refused to marry her thereafter. Learned counsel also submits that the medical evidence does not prima facie support the allegations of forcible sexual assault.

Notice of motion.

On behalf of the State/complainant

On the asking of Court, Mr. Ved Parkash, Sr. DAG, Haryana accepts notice on behalf of respondent/State.

He along with learned counsel for the complainant oppose the prayer for grant of anticipatory bail and submits that the allegations in the FIR are serious in nature and the statement of the prosecutrix specifically attributes the role of the petitioner. It is argued that delay in lodging the FIR, if any, cannot be a ground to

discard the prosecution case at this stage, particularly in matters involving sexual offences. Therefore, considering the gravity of allegations, the petitioner does not deserve the concession of anticipatory bail.

3. **Analysis**

Be that as it may, this Court is of the view that the allegations levelled in the FIR, the delay in reporting the matter, absence of specific particulars regarding the alleged incidents and the defence raised by the petitioner regarding false implication/counterblast are aspects which require consideration during the course of trial.

In the light of above, this Court is of the considered view that there is no valid or cogent reason to deny the bail to the present petitioner, wherein he has *bona fide* intentions and is ready and willing to join the investigation and cooperate for furtherance of the same so that the final report can be submitted by the Investigating Agency in time.

4. **Relief:-**

Hence, the petitioner is directed to be released on anticipatory bail subject to his joining investigation with the Investigating Officer concerned within a period of one week from today, on furnishing of personal/surety bonds to the satisfaction of Arresting Officer/Investigating Officer. The petitioner shall also abide by the terms and conditions as envisaged under Section 482(2) of BNSS, which are reproduced below:-

‘When the High Court or the Court of Session makes a direction under subsection (1), it may include such conditions in such directions in the light of the facts of the particular case, as it may think fit, including-

(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;

- (ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;*
- (iii) a condition that the person shall not leave India without the previous permission of the Court;*
- (iv) such other condition as may be imposed under sub-section (3) of section 480, as if the bail were granted under that section.'*

However, it is made clear that in case the petitioner does not comply with the aforesaid direction of joining the investigation within a period of one week, the order passed by this Court today shall automatically stands cancelled.

In the aforesaid terms, the present petition stands allowed.

12.06.2026
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(SANDEEP MOUDGIL)
JUDGE

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