

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

212

2026:PHHC:087669



**CRM-M-33678-2026 (O&M).
Date of decision: 17.06.2026.**

VIJAY @ VISHU

...Petitioner(s)

VERSUS

STATE OF HARYANA AND OTHERS

...Respondent(s)

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present :- Mr. Yashveer Kharb, Advocate,
for the petitioner.

Ms. Chhavi Sharma, DAG, Haryana.

VINOD S. BHARDWAJ, J. (Oral)

This is the first petition filed under Section 483 of the Bharatiya
Nagarik Suraksha Sanhita, 2023, for grant of regular bail to the petitioner in
case bearing FIR No.352 dated 30.11.2025, under Section(s) 140(3) of the
Bharatiya Nyaya Sanhita, 2023 (final report presented under Section 6 of the
Protection of Children from Sexual Offences Act, 2012 and Section 140)(3)

and 65(1) of the Bharatiya Nyaya Sanhita, 2023), registered at Police Station Quilla Panipat, District Panipat.

Learned counsel appearing on behalf of the petitioner contends that as per the statement originally recorded, the allegations of sexual violence were levelled against one Deepak son of Rishi Pal. It is further contended that the statement of the prosecutrix recorded under Section 183 of the Bharatiya Nagarik Suraksha Sanhita, 2023 before the Illaqa Magistrate also contained allegations against the aforesaid Deepak, son of Rishi Pal, as the perpetrator of the sexual assault. Learned counsel submits that it was only subsequently, vide supplementary statement dated 05.12.2025, that the prosecutrix for the first time named the present petitioner as an accused. It is further submitted that the investigation stands concluded and the final report has already been presented before the competent Court.

It is also contended that the prosecutrix has since been examined during the course of trial and has not supported the case of the prosecution. Learned counsel, therefore, submits that neither in the initial version furnished by the prosecutrix nor in her statement recorded under Section 183 of the Bharatiya Nagarik Suraksha Sanhita, 2023 was any allegation levelled against the petitioner. Even the subsequent statement dated 05.12.2025, on the basis whereof the petitioner was implicated, has not found support in the testimony of the prosecutrix before the Trial Court. ON the strength of the aforesaid circumstances, counsel contends that the petitioner has been falsely implicated in the present case.

It is submitted that the petitioner is in custody since 05.12.2025

and that no recovery of any nature whatsoever has been effected from him and that further custodial continuation of the petitioner is unwarranted.

State counsel, on the other hand, does not dispute the facts as aforesaid and also that there is no evidence on the basis whereof, the participation of the petitioner in the commission of the offence could be established since the prosecutrix has not supported the case of the prosecution and has resiled from her statement dated 05.12.2025 exonerating the petitioner herein.

Mr. Vikas Gulia, Advocate, enters appearance and files power of attorney on behalf of respondent No.2. He vehemently opposes the grant of bail to the petitioner stating that challan has also been presented against the petitioner under Section 6 of the Protection of Children from Sexual Offences Act, 2012.

Having heard the learned counsel for the parties, without commenting on the merits of the case and taking into consideration the fact that the initial statement of the prosecutrix as well as her statement recorded under Section 183 of the Bharatiya Nagarik Suraksha Sanhita, 2023 attributed the commission of the alleged sexual assault to one Deepak, son of Rishi Pal and the petitioner was nominated only in a subsequent supplementary statement recorded on 05.12.2025, the present petition is allowed. The petitioner is ordered to be released on bail on his furnishing requisite bail bond/surety bond to the satisfaction of the Trial Court/Duty Magistrate, concerned.

It is made clear that the petitioner shall not extend any threat and

shall not influence any prosecution witnesses in any manner directly or indirectly.

The observation made hereinabove shall not be construed as an expression on the merits of the case and the trial Court shall decide the case on the basis of available material.

June 17, 2026.
raj arora

(VINOD S. BHARDWAJ)
JUDGE

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