

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

Satender .....Petitioner

State of Haryana ...Respondent

**Present:** Mr. Sunil Kumar Pandey, Advocate  
for the petitioner.

**HARPREET SINGH BRAR, J. (ORAL)**

1. The present petition has been filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail to the petitioner in case bearing FIR No.093 dated 11.03.2024 under Sections 363/366-A of IPC (Section 137(2)/96 of BNS) registered at Police Station Model Town, Rewari, District Rewari, Haryana.
2. The factual background of the case is that on 11.03.2024, at around 03:30 P.M., the minor daughter of the complainant, aged about 17 years and 3 months, left her house without any intimation. The complainant had a strong apprehension that she had been concealed by someone and accordingly, the FIR (*supra*) came to be registered.
3. Learned counsel for the petitioner *inter alia* contends that the petitioner has been falsely implicated in the present case. In fact, the prosecutrix herself befriended the petitioner on Snapchat and she was recovered from the Jhansi Railway Station, from where she herself called the police



helpline number. He refers to Annexure P-3 i.e. the statement of the prosecutrix, wherein she has categorically stated that she had accompanied the petitioner voluntarily, that there was no force or coercion and that she had not been subjected to any sexual assault. Further, she refused to undergo medical examination. The petitioner is behind bars for the last 04 months and 22 days. The investigation in the case is complete. The essential ingredients to constitute the offences under Sections 137(2) and 96 of the BNS are not attracted. The petitioner is not involved in any other criminal case, has clean antecedents and has cooperated with the investigation. He voluntarily surrendered before the investigating agency on 02.02.2026.

4. The learned State counsel has filed custody certificate in the Court today which is taken on record and *per contra*, opposes the grant of regular bail to the petitioner on the ground that there are serious and specific allegations against the petitioner and the age of the prosecutrix at the time of incident was 17 years and 03 months, as such, the petitioner is not entitled to any relief.

5. Having heard learned counsel for the parties and after perusing the record of the case, it transpires that the petitioner is a young boy of 22 years of age and the prosecutrix, in her statement (Annexure P-3), has not levelled any allegation against the petitioner. Further, there is nothing suggestive of sexual assault recorded in Annexure P-4 i.e. the medical report. A perusal of Annexures P-3 and P-4 further reveals that the prosecutrix refused to give her consent for medical examination and did not disclose any history of sexual assault to the Medical Officer. The petitioner is behind the bars since 05.02.2026. Investigation is complete. The final report under Section 193 of

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BNSS (earlier Section 173 of Cr.P.C.) was presented before the concerned Court. Charges are yet to be framed and trial of the case has not made much progress as not even a single prosecution witness out of 11, has been examined so far. The culpability, if any, would be determined at the time of trial. No useful purpose shall be served by further detention of the accused/petitioner. Keeping the petitioner in further detention without the prospect of the trial being concluded in the near future, would be violative of his rights under Article 21 of the Constitution of India.

6. In view the above, the present petition is allowed. Thus, without commenting upon the merits of the case lest it may prejudice the outcome of the trial, the petitioner-Satender, is ordered to be released on regular bail during trial on his furnishing bail bonds/surety bonds to the satisfaction of Illaqa Magistrate/Trial Court/Duty Magistrate.

7. Nothing observed hereinabove shall be construed as expression of opinion of this Court on merits of the case and the trial Court shall proceed without being prejudiced by observations of this Court.

**(HARPREET SINGH BRAR)**  
**JUDGE**

**26.06.2026***Neha*

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