



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

(125)

CRM-M-54813-2025 (O&M)
Date of Decision: 09.3.2026

Roop Chand

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MS. JUSTICE KIRTI SINGH

Present: Mr. Sandeep Gahlawat, Advocate
for the petitioner.

Mr. Anmol Malik, DAG, Haryana.

KIRTI SINGH, J. (ORAL)

1. Prayer in the present petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS'), is for grant of anticipatory bail to the petitioner, in case FIR No. 282 dated 28.8.2025, under Section 10 of the POCSO Act, 2012, registered at Police Station Pehowa, District Kurukshetra.

2. Vide order dated 28.1.2026, the petitioner was directed to join investigation. The said order is reproduced hereinafter:-

“x x x x

Learned counsel for the petitioner submits that, due to the rivalry with his colleague, the petitioner has been wrongly entangled on the present FIR on the basis of vague allegations by the alleged victim. Learned counsel submits that the petitioner has 30 years of teaching experience and has never been accused of any such activity as mentioned in the present FIR. Learned counsel further submits that the petitioner himself is a father of two daughter and has already lost one of his daughter.

Learned counsel further submits that a conspiracy has been hatched against the petitioner and certain children under the



influence of his colleague (i.e. other teacher) had recorded their statements under duress and coercion and the same is evident from the fact that initially nine children had given their statement but subsequently four out of those nine children have changed their stance and recorded that earlier statement were given by them under pressure from other teachers.

Today, learned counsel for the petitioner submits that in fact the father of the complainant (grandfather of the victim) in the present FIR has also Superintendent of Police clearly stating that his son (complainant herein) is an irresponsible person and has never been taking care of victim after demise of the victim's mother. It is further recorded in the said affidavit that in fact, the grandfather has been taking care of the victim and has been regularly attending the parent's teacher meeting of the school. Therefore, he is very well aware of each and every teacher of the school.

Learned State counsel at this stage submits that the above said application and affidavit are not in the possession of the Investigating Officer and the same have never seen light of the day. However, learned counsel for the petitioner has handed over a copy of the same to the Investigating Officer who is present in Court who undertakes to look into the said aspect as well in the matter.

Per contra, learned counsel for the complainant has vehemently opposed the grant of any concession to the petitioner by submitting that young girls have been violated and there are multiple complaints against the petitioner for which the authorities had written to the District Education Officer also much prior to lodging of the complaint. It is submitted that the petitioner despite being a teacher has abused his position and has misbehaved with the young girls.

Heard learned counsel for the parties at length and have gone through the record and especially the statements of all other victims.

Since four of the victims have changed their stance which demonstrates that the matter needs a thorough investigation, however another aspect of the matter which needs consideration is that interestingly all the victims who got their statement recorded stated that the petitioner had touched them inappropriately but co-



incidentally or for the reasons best known to the victims, it has also been recorded in their statement that they had disclosed about the incident to particular named teacher only. There is consistency in all the statements that the petitioner was given warning for 'two months' by the named teacher. Moreover, further no date of such incident is coming forth in those statements.

Adjourned to 09.03.2026.

In the meanwhile, considering the entirety of the matter and the age of the petitioner coupled with the fact that various panchayats have issued character certificate to the petitioner stating that the petitioner bears good character, therefore, the petitioner is directed to join investigation on 06.02.2026 at 10:00 A.M. before the Investigating Officer and cooperate with the Investigating Agency, even thereafter.

In the event of arrest, the petitioner be released on interim bail subject to furnishing personal/surety bonds to the satisfaction of the Arresting/Investigating Officer and the petitioner shall abide by the conditions as envisaged under Section 482 of the BNSS, 2023.

It is made clear that, in case, the petitioner is found involved in any such activity once again, the present concession so granted shall automatically stand vacated."

3. Learned State counsel on instructions from SI Taro, submits that in compliance of order dated 28.1.2026, the petitioner has joined the investigation and is not required for any further investigation.

4. Having considered the aforesaid facts and circumstances, the petition is allowed. Order dated 28.1.2026 passed by this Court, is hereby made absolute.

5. This order should not be treated as "blanket" order. It will not be read granting the petitioner(s) indefinite protection from arrest. It shall be confined to the FIR mentioned *ibid* and will not operate in respect of any other incident that involves commission of an offence.



6. This order does not in any manner limit or restrict the rights or duties of the police or investigating agency to investigate into the charges against the petitioner(s).
7. The accused-petitioner(s) 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 or her from disclosing such facts to the Court or to any police officer.
8. The accused-petitioner(s) shall not leave India without prior permission of the Court.
9. The accused-petitioner(s) shall join the investigation as and when called by the police.
10. It will be open to the police or the investigating agency to move to this Court for a direction under Section 483(3) of BNSS, 2023 (erstwhile Section 439(2) of Cr.P.C.) to arrest the accused-petitioner(s), in the event of violation of any term, such as absconding, non-cooperating during investigation, evasion, intimidation or inducement to witnesses with a view to influence outcome of the investigation or trial.
11. Pending miscellaneous application(s), if any, also stands disposed of.

(KIRTI SINGH)
JUDGE

March 09, 2026
Gurpreet Singh

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