



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

(127)

CRM-M-66307-2025
Date of Decision: 11.3.2026

Bilal

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MS. JUSTICE KIRTI SINGH

Present: Mr. Ravinder Hooda, Advocate
for the petitioner.

Mr. Brijesh Sharma, AAG, Haryana.

KIRTI SINGH, J. (ORAL)

1. Prayer in the present petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023, is for grant of anticipatory bail to the petitioner, in case FIR No. 26 dated 27.2.2025, under Sections 70(2), 115, 140(3) of BNS, 2023 and Section 6 of the POCSO Act, registered at Police Station Bahin, District Palwal.

2. The translated version of the FIR is reproduced below:-

“To the S.H.O., Police Station Bahin, Palwal. Subject: With regard to complaint of kidnapping my minor daughter from my house and after taking her to his house and tying her hands and feet, gagging her mouth, committing rape forcibly and trying to kill. Sir stated that I, applicant xxxxxx w/o Harun, am R/o village Kot, Police Station Bahin. Sir, my husband has gone on vehicle. Today i.e. on 26.02.2025, at night, I was present in the house with my children. When I woke up at morning, then I could not find my daughter xxxxxx in the house. Sir, I called her many times, but she could not be found anywhere. Sir, I searched in the neighbourhood and came to know that my daughter was found in the house of accused Bilal s/o Tayyab. Sir, after seeing the condition of my daughter, I was



very much scared. There were no clothes on her body and her condition was very bad. There were bruises (neel) on her eyes and cheek and daughter was lying in an unconscious state. In the meantime, many persons of the village gathered there. Sir, we untied the hands and feet of my daughter and brought her back to conscious state and came to know that the accused Bilal and his other accomplice, both of them gave beatings to my daughter and committed rape forcibly many times. My daughter could not recognize the other boy. We want to get take legal action against the accused. Sir, we are very much poor. Therefore, it is requested to your goodself with folded hands to take stern legal action against the accused and my complaint be registered.”

3. Learned counsel for the petitioner submits that the petitioner, a young boy aged 20 years, has been falsely implicated in the present case on the basis of a complaint lodged by the mother of the prosecutrix. It is submitted that the petitioner had provided the CCTV footage to the investigating officer concerned, which shows that the petitioner was present in his house at the time of the alleged incident. It is submitted that there is no material on record that points towards the complicity of the petitioner. Even, as per the MLR of the prosecutrix, no injuries were found on her person. It is submitted that the petitioner is ready and willing to join the investigation and co-operate.

4. *Per contra*, learned State counsel opposes the present petition. It is submitted that specific allegations have been levelled against the petitioner that he kidnapped the prosecutrix, who was a minor, and committed rape upon her. Learned State counsel, while relying upon the status report dated 21.1.2026, submits that the statement of the prosecutrix under Section 183 of BNSS has been recorded, wherein she has levelled specific allegations against the petitioner, which is further corroborated by



the medical evidence on record. The relevant paragraph of the said statement is reproduced as below:-

“x x x x

Yesterday night, I was sleeping outside the house in courtyard. I wake up and one person was holding me in his lap and there were two persons. Bilal was holding me in his lap. Another person had a cloth tied over his face. They took me in the house of Bilal where they tied my hand, legs and mouth and put off my clothes and tied my hands and legs with my clothes. Thereafter Bilal committed rape with me forcibly. Another person tied me up and stood a little outside. Then both of them left me tied up there and went away. After that I do not know what happened. From there my family brought me home.”

5. Learned State counsel further submits that during the course of investigation, relevant samples were collected and deposited at RFSL, Bhondsi. As per the report dated 20.3.2025 received from the RFSL concerned, human semen was detected on exhibit-1 (salwar). It is submitted that despite repeated and vigorous efforts made by the investigating agency to apprehend the petitioner, he remained absconding and continuously evaded arrest. In view of his persistent non-cooperation, proceedings under Section 84 of the BNSS have been initiated against him by the learned trial Court. Subsequently, vide order dated 13.11.2025 passed by the learned Additional Sessions Judge, Palwal, the petitioner was declared a proclaimed offender and subsequently challan has been presented before the learned Court concerned on 17.1.2026. In view of serious allegations levelled against the petitioner, he does not deserve the concession of anticipatory bail.

6. Heard the rival submissions made by learned counsel.

7. *Prima facie*, there are serious allegations against the petitioner,

of kidnapping and committing sexual assault upon the minor prosecutrix,



stated to be aged about 14 years at the time of the alleged occurrence. The said allegations stand duly corroborated by the statement of the prosecutrix recorded under Section 183 of the BNSS. The forensic report from the RFSL concerned confirms the presence of semen upon the relevant exhibit. The petitioner has deliberately evaded arrest despite repeated efforts by the investigating agency, resulting in proclamation proceedings under Section 84 of the BNSS, 2023 being initiated against him, subsequent to which he has been declared a proclaimed offender on 13.11.2025. Under such circumstances, this Court is not inclined to grant the discretionary relief of anticipatory bail to the petitioner in the present case, which even otherwise is not maintainable, given that the petitioner has been declared a proclaimed offender.

8. In the light of the foregoing discussion, the instant petition stands dismissed.

9. Pending miscellaneous application(s), if any, also stands disposed of.

(KIRTI SINGH)
JUDGE

March 11th, 2026
Gurpreet Singh

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