

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

2026:PHHC:013488



207

CRM-M-68093 of 2025 (O&M)

Reserved on: 28.01.2026

Pronounced on:30.01.2026

Uploaded on:30.01.2026

Akashdeep

..Petitioner

Versus

State of Haryana and another

..Respondents

CORAM: HON'BLE MS. JUSTICE SHALINI SINGH NAGPAL

Present: Mr. Kushager Goyal, Advocate
for the petitioner.

Ms. Kanica Sachdeva, DAG Haryana.

Mr. D.S. Virk, Advocate
for respondent No.2/complainant.**SHALINI SINGH NAGPAL, J.**

Petitioner seeks regular bail in case vide FIR No.214 dated 02.04.2024 under Sections 363, 366-A (323, 366, 376(2)(n) of Indian Penal Code, 1860 and Section 6 of POCSO Act, 2012 added later on and Section 366-A got deleted), Police Station Rania, District Sirsa (Haryana). This is the first petition for regular bail.

Complainant, mother of the prosecutrix, alleged that on 02.04.2024, at about 8:30 a.m. her daughter 'R' 17 years of age, left for school saying that she would return by 12:00 p.m. However, when she did not return home till 3:00 p.m. she enquired from the school and was informed that 'R' did not attend school that day. She searched for 'R' but could not find any clue. On further enquiry, it was revealed that 'R' has been

enticed away by Akash son of not known who had taken her by alluring and inducing her.

During the course of investigation, statement of 'R' was recorded under Section 183 BNSS. She stated that Akashdeep by alluring and persuading her on false pretext of marriage took her to Chandigarh and Pinjore. She refused but he mixed something in her food and made her partially unconscious. In rented accommodation, he assaulted her and committed rape.

Learned counsel for the petitioner submits that the petitioner and the prosecutrix were in love and the relationship was consensual. Both of them wanted to get married but could not perform marriage on account of age of the prosecutrix. Complainant had been examined during the trial but did not support prosecution case. Now, prosecutrix had been married elsewhere. Petitioner who was behind bars for the last 1 year 9 months deserved to be enlarged on bail. In support of his prayer for bail learned counsel refers to decision of Hon'ble the Supreme Court in ***Deshraj @ Musa Versus State of Rajasthan and another***, SLP(Crl)No. 11020 of 2024, decided on 4.10.2024 and ***The State of Uttar Pradesh Versus Anurudh and others***, 2026 INSC 47.

Learned State counsel has filed status report. She submits that the petitioner sexually assaulted the minor prosecutrix and given the nature of allegations, he was not entitled to concession of bail. She informs that out of 19, 8 witnesses were examined in the case. The FSL report incriminated the petitioner, who did not deserve the concession of bail.

Learned counsel for the complainant has put in appearance, he he does not oppose the prayer for bail.

Petitioner is behind bars for the last more than 1 year 9 months.

Statements of complainant and two other witnesses Parveen Singh and Gurdeep Singh have been recorded. All have resiled from prosecution case.

Trial is likely to take long to conclude. Petitioner has clean antecedents and there is no ground to suspect that he would obstruct the trial or flee from justice. Considering all relevant facts and circumstances of the case, but without commenting on merits, petitioner is ordered to be released on regular bail subject to his furnishing adequate bail and surety bonds to the satisfaction of trial Court/Duty Magistrate.

All the pending miscellaneous applications, if any, stand disposed of.

(SHALINI SINGH NAGPAL)
JUDGE

30.01.2026

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Whether speaking/reasoned	:	Yes
Whether reportable	:	No