

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

2026:PHHC:013608



209

CRM-M-68357 of 2025(O&M)

Reserved on: 28.01.2026

Pronounced on:30.01.2026

Uploaded on:30.01.2026

Karan Sharma

..Petitioner

Versus

State of Haryana and another

..Respondents

CORAM: HON'BLE MS. JUSTICE SHALINI SINGH NAGPAL

Present: Mr. R.S. Randhawa, Senior Advocate with
Ms. Tarannum Madan, Advocate and
Mr. Swayam Bansal, Advocate for the petitioner.

Ms. Kanica Sachdeva, DAG Haryana.

Mr. Ankit Joshi, Advocate for respondent No.2.

SHALINI SINGH NAGPAL, J.

Petitioner seeks regular bail in case vide FIR No.217 dated 20.08.2025 under Section 6 of POCSO Act, 2012 and Section 351(3) of BNS, 2023, Police Station Sarai Khawaja, District Faridabad, Haryana. This is the first petition for regular bail.

Complainant reported to the police that she was residing as Tenant of Nizam Qureshi Palla. She worked as a cook while her husband worked in a company. She had three sons and a daughter. 'P' her youngest daughter told her that Karan did wrong act with her for the first time on 10.07.2025 at 8:00 p.m. inside the washroom and when she raised alarm, he gagged her mouth. He even made a video of her and threatened to kill her.

He repeated the physical act with her again and again and threatened to make the video viral and kill her if she disclosed the incident to anyone.

Learned counsel for the petitioner submits that at the time of hearing of bail application, prosecutrix made statement before learned Additional Sessions Judge, (Fast Track Special Court), Faridabad, on 11.11.2025 that she was 18 years old and no offence was committed by the accused against her. Complainant too moved an application to SHO that she did not want any kind of further investigation in the proceedings. Referring to ultrasound report dated 22.8.2025 of the prosecutrix, he submitted that she was carrying a single live foetus of 14 weeks, the report proved that the petitioner had no complicity in the offence as the alleged date of first act of sexual assault was 10.07.2025. He further referred to report of Family Dental Centre pertaining to the prosecutrix which determined her age between 16-19 years. It was argued that there was no incriminating DNA report. Petitioner's mobile was recovered but nothing incriminating was found. Investigation was complete. Petitioner, thus, deserved to be enlarged on bail being in custody for the last about 5 months.

Learned State counsel has filed status report and has opposed the prayer for bail submitting that the victim was minor at the time of commission of crime and allegations against the petitioner were grave and heinous.

Petitioner is alleged to have forcibly committed aggravated penetrative sexual assault on the person of the minor prosecutrix aged 13 years. During the course of investigation, statement of the prosecutrix under Section 183 of BNSS was recorded. She stated that she was 13 years of age and that the petitioner entered the washroom when she was inside and forced

himself upon her. He also made a video in the washroom and threatened to viral it. Thereafter, he again did wrong things with her 3-4 times. She did not mention any date of first sexual assault. As per report of Ossification test conducted in B.K. Civil Hospital, Faridabad, her age was found to be between 14 to 16 years of age. Offence under Section 6 of the POCSO Act, is punishable with rigorous imprisonment for a term which shall not be less than twenty years, but which may extend to imprisonment for the remainder of natural life or with death. Considering the serious nature of allegations, the manner in which the offence was committed, the fact that on account of the assault the minor child is carrying a single live fetus of 14 weeks and all relevant facts and circumstances of the case, it is not a fit case to enlarge the petitioner on regular bail.

Dismissed.

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

(SHALINI SINGH NAGPAL)
JUDGE

30.01.2026

reema

Whether speaking/reasoned : Yes

Whether reportable : No