

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

2026:PHHC:013569



208

CRM-M-68307 of 2025(O&M)

Reserved on: 28.01.2026

Pronounced on:30.01.2026

Uploaded on:30.01.2026

Harish Khan

..Petitioner

Versus

State of Haryana

..Respondent

CORAM: HON'BLE MS. JUSTICE SHALINI SINGH NAGPAL

Present: Mr. Afjal Hussain, Advocate
for the petitioner.

Ms. Kanica Sachdeva, DAG Haryana.

SHALINI SINGH NAGPAL, J.

Petitioner seeks regular bail in case vide FIR No.0082 dated 04.08.2025, under Sections 115, 316(2), 351(2), 85, 92 of BNS 2023, Police Station Akera, District Nuh (Haryana). This is the first petition for regular bail.

Complainant alleged that she was married with Harish on 14.03.2021 as per Muslim rites and ceremonies. Though, her father had given sufficient dowry in the marriage, after some time, her in-laws started harassing her and gave her beatings for bringing more dowry. She was several times thrown out of the house. She tolerated the harassment and went back, following the decision of Panchayat but the harassment continued. On 01.05.2025 at 11:30 a.m. her husband and mother-in-law gave her severe beatings, threatened to kill her and threw her out of the house for not bringing Rs.2 lacs. Her brother-in-law and sister-in-law used to abuse her

and hit her on her abdomen and chest, due to which she suffered a miscarriage during pregnancy of two months. Her in-laws threatened to kill her. She tried calling the police but they snatched her phone and broke it. They also burnt her eyes with chilli powder. She somehow managed to escape and reached her parental home where her father informed the police on 112. The police took her to Government Hospital from where, after first aid she was referred to higher centre where she was medically examined.

Learned counsel for the petitioner submits that there was three months delay in lodging the FIR and petitioner, who was husband of the complainant has been falsely implicated. Complainant herself left the matrimonial home on 01.02.2023 and returned to her parents house. To restore the matrimonial relationship, he filed a civil suit for restitution of conjugal rights. The parties resumed cohabitation pursuant to mediation. The allegations of repeated beatings and harassment were false and exaggerated. The matter was not reported to the police promptly. Even the medico-legal report dated 02.05.2025 was inconclusive in as much as it recorded that the miscarriage could have occurred due to physical assault or due to intake of medicines. Petitioner who was in custody for the last 4 months and 10 days, thus, deserved to be enlarged on regular bail.

Learned State counsel has filed status report and has opposed the prayer for regular bail arguing that complainant suffered miscarriage after two months of pregnancy on account of the beatings and harassment meted out to her by the petitioner. No witness, out of 16 cited, was examined. Petitioner was involved in one other case bearing FIR No.1 dated 03.01.2022, under Sections 363, 366 IPC Police Station Firojpur Jhirka and did not deserve to be enlarged on bail.

Kicks on stomach of the complainant are attributed to the brother-in-law and sister-in-law. As per opinion of the Doctor, probability of abortion due to intake of medicines could not be ruled out. Petitioner is behind bars for last more than four months. Trial which has not commenced yet may take long to conclude. Mere pendency of another case cannot be a ground to refuse bail. There is no reason to suspect that petitioner would obstruct the process of trial. Considering all relevant facts and circumstances of the case but without a comment on merits thereof, petitioner is ordered to be enlarged 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