

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

2026 PHHC:012897



211

CRM-M-67921 of 2025(O&M)

Reserved on: 27.01.2026

Pronounced on:29.01.2026

Uploaded on:29.01.2026

Sunny

..Petitioner

Versus

State of Haryana

..Respondents

CORAM: HON'BLE MS. JUSTICE SHALINI SINGH NAGPAL

Present: Mr. Sanyam Khetarpal, Advocate and
Ms. Kajal Chauhan, Advocate for the petitioner.

Ms. Kanica Sachdeva, DAG Haryana.

SHALINI SINGH NAGPAL, J.

Petitioner seeks regular bail in case vide FIR No. 484 dated 17.08.2024, under Sections 115(2), 127(2), 137(2) and 351(3) of BNS, 2023 (Sections 142 and 215 of BNS, 2023 Added later on) and Section 17 and 4 of POCSO Act, 2012, Police Station Saran, Faridabad. This is the first petition for regular bail.

First Information Report was recorded on statement of the prosecutrix (name withheld), who stated that she was 15 years, 03 months old, the eldest of 04 brothers and sisters and left school in Class 8th due to her father's illness. On 12.08.2024, at about 12.30 PM, she went to the Market. When she was going back home and reached Subhash Chowk, at about 1.00 PM, Sunny and CICL stopped their bike and asked her to sit. When she refused, Sunny caught hold of her and made her sit on the bike by force. CICL was driving the bike and Sunny sat behind her. After covering

some distance, they met CICAL's father, mother and aunt(Rani) and on seeing them, CICAL stopped the bike. Prosecutrix raised cries and started to run. CICAL gagged her mouth with cloth and she fainted. When she regained consciousness at about 8.00 PM, she found herself in the house of relative of CICAL. After a while, CICAL's aunt Rani arrived, slapped her and locked her in the room. She was kept without food. Around midnight, CICAL came to the room and locked the door. He thrashed her and forcibly raped her. In the morning, CICAL's aunt told CICAL that her father had lodged a complaint regarding her absence. She said that she would present her in the office of Commissioner of Police and threatened to kill her if she did not do as they said. She made statement in office of Commissioner of Police under fear and pressure of CICAL.

Learned counsel for the petitioner submits that co-accused, CICAL had since been enlarged on regular bail vide order of this Court dated 20.11.2025. The only role attributed to the petitioner was that he facilitated co-accused in the commission of offence. Petitioner was in custody w.e.f. 04.07.2025. Prosecutrix was examined during the trial who did not support prosecution case, therefore, petitioner deserved to be enlarged on bail.

Learned State counsel has filed status report and has opposed the prayer for regular bail arguing that there were serious and specific allegations against the petitioner who supported the main accused in the commission of crime. She further stated that there were 17 prosecution witnesses cited and prosecutrix had since been examined.

Respondent No.2-complainant-victim was served in the case but did not put in appearance.

Petitioner is behind bars for the last more than six months. Co-accused who was a child in conflict with law, has been enlarged on bail vide order of this Court dated 20.11.2025. Prosecutrix has been examined during trial and there is now no prospect of the petitioner influencing her or tampering with evidence. Antecedents of the petitioner are clean. He is not stated to be involved in any other case. Considering the period of custody, nature and substance of allegations against the petitioner, the role attributed to him and 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

29.01.2026

reema

Whether speaking/reasoned : Yes

Whether reportable : No