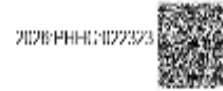


CRM-M-71543-2025 (O&M)



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-71543-2025(O&M)

Reserved on: 12.02.2026

Pronounced on : 13.02.2026

Uploaded on: 13.02.2026

ARVIND SINGH KHAIRA

...Petitioner

Versus

STATE OF HARYANA

...Respondent

Coram: Hon'ble Mrs. Justice Shalini Singh Nagpal

Present: Mr. Aditya Sanghi, Sr. Advocate with
Mr. Karam Duggal, Advocate and
Mr. Jatin Sodhi, Advocate for the petitioner.

Ms. Kanica Sachdeva, DAG Haryana.

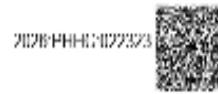
Mr. Saurabh Sharma, Advocate
for respondent No. 2.

SHALINI SINGH NAGPAL J.

1. Petitioner seeks regular bail in case arising out of FIR No. 162 dated 04.06.2025 under Sections 115, 332(b), 351(3), 65(1) and 77 Bharatiya Nyaya Sanhita, 2023, Section 4 of Protection of Children from Sexual Offences Act, 2012, Police Station Dabwali Sadar, District Dabwali. Charges were framed under Sections 332(B), 77, 351(3), 115(2) BNS and Section 4 POCSO Act and in alternative under Section 65(1) BNS. This is the first petition for regular bail.

2. FIR was recorded on statement of the victim who narrated that she was a student of Class 10th in Government School. On 20.03.2025, after her 10th Class exam, she went to the house of her maternal uncle in village Lakhuwali Head, Rajasthan. They used the washroom in the house of Arvind adjoining the shop of her aunt, whenever they visited the shop. One day, when she was using the washroom, Arvind took her picture from the window

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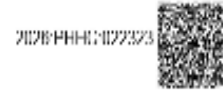
and started blackmailing her, threatening to make the photos viral. She did not narrate the incident out of fear. On 02.06.2025, Arvind called her on her father's phone and despite her protest, came to her house on 03.06.2025 at 12.00 noon, grabbed her hand and sexually assaulted her. When her mother returned, he jumped over the wall and ran away. She narrated the incident to her mother and was taken to the Government Hospital, where she was admitted.

3. Learned counsel for the petitioner submits that prosecutrix was 15 years of age at the time of incident, while petitioner was 25 years of age. Prosecutrix, her mother and her father were all examined during the course of trial. They did not support prosecution case. Semen was detected on the undergarment of the victim and that of the accused but no semen was detected on the vaginal swabs. In cross-examination, the prosecutrix denied that she had given her undergarment to the doctor. In these circumstances, petitioner, who was in custody since 10.06.2025, deserved to be enlarged on bail.

4. Learned State counsel has filed status report opposing the prayer for bail on the ground that petitioner was specifically named in the FIR and during investigation suffered disclosure statement admitting his involvement. She however, conceded that no video or picture of the prosecutrix was recovered from the mobile phone of the petitioner during investigation and that all the main witnesses stood examined. She submits that DNA report was yet awaited.

5. Petitioner is behind bars w.e.f. 10.06.2025. Statement of the prosecutrix, her mother and her father have been recorded during the course of trial. There is no prospect of the petitioner tampering with the evidence.

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Out of total 25 witnesses, 22 are yet to be examined. Trial is, therefore, likely to take some time to conclude. Further detention of the petitioner is not warranted. Considering all relevant facts and circumstances of the case, but without commenting on merits, the petition is allowed. Petitioner-Arvind Singh Khaira is ordered to be released on regular bail on his furnishing requisite bail bonds/surety bonds to the satisfaction of learned trial Court/Illaq Magistrate/Chief Judicial Magistrate.

6. Pending CRM(s), if any, are also disposed of accordingly.

(SHALINI SINGH NAGPAL)
JUDGE

13.02.2026

Ajay Goswami

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No