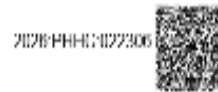


CRM-M-71406-2025 (O&M)



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-71406-2025(O&M)

Reserved on: 12.02.2026

Pronounced on : 13.02.2026

Uploaded on: 13.02.2026

RASHID

...Petitioner

Versus

STATE OF HARYANA

...Respondent

Coram: Hon'ble Mrs. Justice Shalini Singh Nagpal

Present: Mr. Nikhil Vats, Advocate
for the petitioner.

Ms. Kanica Sachdeva, DAG Haryana.

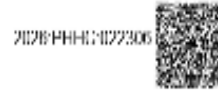
SHALINI SINGH NAGPAL J.

1. Petitioner seeks regular bail in case arising out of FIR No. 220 dated 20.07.2025 under Sections 64(2)(f) and 351(3) Bharatiya Nyaya Sanhita, 2023, Police Station Quilla Panipat. This is the first petition for regular bail.

2. 'S' wife of 'A' lodged a report stating that she was married for last 14 years and had three children. Her husband and her brother-in-law Rashid son of Vikram, both were engaged in tile and stone work. Her brother-in-law started visiting her house and lured her children. Two months ago, Rashid forcefully raped her in her room and had physical relations with her several times. Last time, he came to her room was on 08.07.2025. He had physical relations with her without her consent at about 11.00 AM after sending her children out and threatened to kill her. He repeatedly asked her for physical relations.

3. Learned counsel for the petitioner submits that petitioner had been falsely implicated in the case due to ulterior motive, by misusing the

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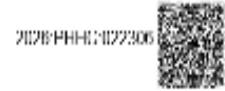
provisions of law. He was in custody since 22.07.2025. Investigation of the case was complete. Narrative of the prosecutrix in the FIR was concocted. In fact, petitioner and the prosecutrix were related to each other and were in a consensual relationship. In this context, he relied upon intimate photographs of the couple (Annexure P-2) placed on record. It was urged that the prosecutrix had been insisting to elope with the petitioner and when he refused, a false case was foisted. He further submits that even husband of the prosecutrix had sworn an affidavit that petitioner was not at fault and his wife herself had been going with him to hotels, with her own free will. He prayed that the petitioner being in custody since long be allowed regular bail.

4. Learned State counsel has filed status report along with custody certificate and opposed the prayer for regular bail on the ground of serious nature of allegations and relationship of the petitioner with the prosecutrix. It was urged that no witness out of 11, cited by prosecution was examined and grant of bail, at this stage, would impede the course of justice. Learned State counsel further submitted that prosecutrix was now pregnant and application for DNA analysis filed by the petitioner was rejected by learned trial Court.

5. Petitioner is in custody for more than six months. Prosecutrix is a married lady with three children. Petitioner is no other than husband of her sister-in-law. The first incident of forcible sexual assault is alleged to have occurred two months prior to registration of the FIR, whereafter prosecutrix claimed that she had physical relations with the petitioner many times, lastly on 08.07.2025. Photographs on record have been relied upon by the petitioner to support his case of consensual relationship. Though, the genuineness and effect of the photographs is to be considered by the trial

Court, at the time of final adjudication of the case, it is a case where

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discretion must be exercised in favour of the petitioner, whose antecedents are clean and who has a fixed abode. There is no material to suspect that petitioner would tamper with the evidence or would obstruct the process of law. Considering all relevant facts and circumstances of the case, but without commenting on merits, the petition is allowed. Petitioner-Rashid is ordered to be released on regular bail on his furnishing requisite bail bonds/surety bonds to the satisfaction of learned trial Court/Illaqa 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