



CRM-M-72992-2025

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**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

(213)

CRM-M-72992-2025

Date of Decision:-12.01.2026

Aditya @ Aadi

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE ALOK JAIN

Present: Mr. Anil Kumar Chahal, Advocate for the petitioner.

Ms. Akshita Chauhan, DAG, Haryana.

ALOK JAIN, J. (Oral)

1. The present petition has been filed, *inter alia*, seeking grant of regular bail to the petitioner in case FIR No. 222 dated 18.11.2024, registered under Sections 137(2), 87, 64, 61(2) and 70(1) of the Bharatiya Nyaya Sanhita, 2023 and Section 6 of the POCSO Act, 2012, at Police Station Sadar Panipat, District Panipat (Annexure P-1).

2. Learned counsel for the petitioner submits that the petitioner has no role in the commission of any offence of sexual assault and the sole allegation against him is of being present when the main accused, namely Rahul, allegedly enticed the prosecutrix and took her to a hotel. Learned counsel further submits that the petitioner has been in custody for more than one year and, therefore, prays for grant of the concession of regular bail to the petitioner.

3. Notice of motion.

4. Ms. Akshita Chauhan, learned DAG, Haryana, accepts notice on behalf of the respondent-State and has filed the custody certificate of the petitioner in Court today, which is taken on record, subject to all just



exceptions. As per the custody certificate, the petitioner has been in custody for the last 01 year and 11 days.

5. However, learned State counsel could not deny the fact that, even as per the allegations levelled in the FIR, the main accused who had allegedly violated the prosecutrix was Rahul and the only allegation against the petitioner is that he was present in the adjoining room and had accompanied the main accused while dropping the victim back.

6. On a specific query put by the Court, it is pointed out that all the material witnesses except the father of the victim have been examined and eight witnesses out of twenty have been examined.

7. Heard learned counsel for the parties at length.

8. In view of the above and considering the fact that the complainant has already been examined and there is no specific allegation of any act of sexual assault or violation of the victim attributed to the petitioner, coupled with the fact that the petitioner has been in custody for the last 1 year and 11 days and the trial is likely to take considerable time, therefore, no useful purpose would be served by keeping the petitioner in custody. Accordingly, the petitioner is held entitled to the concession of regular bail.

9. Without commenting upon the merits of the case, the present petition stands allowed and the petitioner is ordered to be released on bail if not required in any other case on furnishing bail bonds and surety bonds to the satisfaction of the trial Court/Duty Magistrate, concerned. The petitioner shall, however, be released on the following conditions:

- i The petitioner shall declare his ordinary place of residence and the mobile number used by him.
- ii The petitioner will not switch off his mobile and in case of any



technical glitch, he has to give an alternate number, which will be available in his absence.

- iii The petitioner will mark his presence before the SHO concerned, after every 15 days and in case the SHO refuses to mark his presence, he is permitted to make an application before the Illaqa Magistrate, concerned.
- iv The petitioner will not leave the country without the prior permission of the Court, for which he will submit the copy of his passport also. However, in case the petitioner does not possess a passport, then he shall file an undertaking to the said effect before being released.

The petitioner shall abide by the terms and conditions as imposed in addition to Section 483 of BNSS, 2023.

10. However, nothing stated above shall be construed as a final expression of opinion on the merits of the case and this order shall not be considered as parity *qua* any other co-accused in any manner whatsoever.

11. It is further made clear that, in case, the petitioner is found involved in any such activity once again, the State is at liberty to promptly move an appropriate application for cancellation of bail detailing out the circumstances and violation of conditions of bail.

(ALOK JAIN)
JUDGE

January 12, 2026

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Whether speaking/reasoned:-
Whether Reportable:-

Yes/No
Yes/No