



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

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CRM-M-10198-2025

Date of decision : 22.07.2025

DilipPetitioner

versus

State of HaryanaRespondent

CORAM: HON'BLE MR. JUSTICE NAMIT KUMAR

Present: Mr. Sunil Bose, Advocate with
Mr. Abhinav Shukla and Mr. Ujjawal,
Advocates for the petitioner.

Ms. Priyanka Sadar, A.A.G., Haryana.

NAMIT KUMAR, J. (ORAL)

1. The present petition has been filed by the petitioner under Section 439 of Code of Criminal Procedure, 1973/483 of Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail to the petitioner in case bearing FIR No.276 dated 15.06.2024 registered under Section 376(2)(n) of Indian Penal Code, 1860 at Police Station Model Town, District Rewari.

2. Status report by way of an affidavit of Sh. Surender Sheoran, HPS, Deputy Superintendent of Police, Bawal, District Rewari, on behalf of the respondent-State, filed in the Registry is taken on record. As per para 8 of the status report, the complaint has been informed about the pendency of the present petition and the date fixed therein, however, there is no representation on behalf of the complainant.

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3. Brief facts of the case are that on 15.06.2024, the prosecutrix made a complaint to the police alleging therein that she was a permanent resident of Uttar Pradesh, however, she was residing in a rented house at Village Karnawas, District Rewari. Accused-Dilip (the petitioner) was also residing in Village Karnawas, District Rewari since last 11 years and during that period he had developed sexual relations with her on the pretext of marriage. On 15.05.2024, the petitioner had developed sexual relation with her and thereafter, he left her and returned to his village and ultimately refused to marry her. On the basis of the said complaint, the instant FIR was registered.

4. Learned counsel for the petitioner, inter alia, submits that the petitioner is innocent and has been falsely implicated in the present case. The prosecutrix is a matured and married lady, therefore, there is no question of giving any false assurance of marriage to her. He further submits that the prosecutrix, who has been examined before the Trial Court as PW-1, has not supported the case of the prosecution and stated that the petitioner never committed rape upon her or any wrong act with her and she was forced by his family members and police to make statement before the Magistrate against the petitioner and she has no complaint against him. He further submits that the petitioner is behind the bars since 19.08.2024 and he is not involved in any other case. He also submits that the investigation in the present case is complete; challan stands presented and out of total 09 prosecution witnesses, only 02 have been examined so far. The trial is likely to take a considerable



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time to conclude and therefore, no fruitful purpose would be served by detaining the petitioner behind the bars.

5. Per contra, learned State counsel, while referring to the averments made in the status report, has vehemently opposed the prayer for grant of regular bail to the petitioner on the ground that the petitioner was sexually exploiting the complainant since last 11 years. However, she could not refute the factual position that out of total 09 prosecution witnesses, 02 have been examined so far. She has also produced custody certificate dated 21.07.2025 in the Court which is taken on record. As per the custody certificate, the petitioner is in custody for the last more than 11 months and he is not involved in any other case.

6. I have heard learned counsel for the parties and perused the record.

7. Keeping in view the custody period of the petitioner, which is 11 months and 03 days and the facts that the prosecutrix in her statement recorded before the Trial Court has not supported the case of the prosecution, challan has been presented; investigation has been completed; charges have been framed and out of total 09 prosecution witnesses, only 02 have been examined so far; the petitioner is not involved in any other case and the trial may take a considerable time to conclude, therefore, the petitioner is ordered to be released on regular bail during trial on his furnishing bail bonds/surety bonds to the satisfaction of Illaqa Magistrate/Trial Court.

8. The petition stands disposed of accordingly.

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9. However, anything observed hereinabove shall not be treated as an expression of opinion on the merits of the case and is meant for the purpose of deciding the present petition only.

22.07.2025*kothiyal***(NAMIT KUMAR)
JUDGE**

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No