



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

(214)

**CRM-M-33183-2025 (O&M)
Date of Decision: 13.10.2025**

Rahul Yadav

.....Petitioner

Versus

State of Haryana and another

.....Respondents

CORAM: HON'BLE MS. JUSTICE KIRTI SINGH

Present: Mr. Samay Singh Sandhawalia, Advocate
for the petitioner.

Mr. Anmol Malik, DAG, Haryana.

Mr. Dhruv Sihag, Advocate
for respondent No. 2.

KIRTI SINGH, J. (ORAL)

1. Prayer in the present petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS'), is for grant of anticipatory bail to the petitioner, in case FIR No. 226 dated 06.6.2025, under Sections 75(2) and 351(3) of BNS, 2023, registered at Police Station City Narnaul, Mahendergarh.

2. Vide order dated 24.9.2025, the petitioner was directed to join investigation. The said order is reproduced hereinafter:-

“On 26.8.2025, both the parties were directed to appear before the Mediation and Conciliation Centre at Narnaul to explore the possibility of amicable settlement. However, no report from the said mediation Centre has been received.

On 08.07.2025, while issuing notice of motion, the following order was passed by this Court:-

“Apprehending arrest the petitioner has filed this petition under Section 482 of BNSS for grant of anticipatory bail in case bearing FIR No.226 dated 06.06.2025, under Sections 75(2) and 351(3) of BNS, registered at Police Station City Narnaul, District Mahendergarh.

Learned counsel for the petitioner inter alia submits that both the petitioner and the complainant are government employees working



in the Public Health Department, and due to strained relations between them, the present FIR has been lodged. It is further submitted that there is no evidence on record to prove the presence of the petitioner at the place of occurrence. On the contrary, there is a CCTV footage showing the petitioner at a toll plaza situated at a considerable distance from the alleged place of occurrence, and the same is supported by a certificate under Section 65B. It is also submitted that the Deputy Superintendent of Police had issued a notice to the petitioner to appear and join the investigation, and the petitioner duly complied with the same on 04.06.2025.

Learned counsel for the complainant has vehemently opposed the submissions made on behalf of the petitioner and submits that, in view of the serious allegations levelled against the petitioner, he does not deserve the concession of anticipatory bail.

Notice of motion.

At the asking of the Court, Ms. Mahima Yashpal, DAG, Haryana, accepts notice on behalf of the respondent-State and prays for some time to file response.

Adjourned to 05.08.2025.

In the meantime, arrest of the petitioner shall remain stayed.”

Learned counsel for the petitioner submits that the petitioner is ready to join investigation and cooperate with the investigating agency.

Learned counsel for the complainant as well as the learned State counsel oppose the instant petition. It is submitted that the petitioner and the complainant are working in the same department. The petitioner has an improper conduct, as is evident from the videos uploaded on media wherein he can be seen brandishing weapons. Further, serious allegations of committing sexual harassment upon the complainant at work place and demanding Rs. 5.00 lacs from her while threatening to circulate her videos, have been levelled against the petitioner, in view of which, he is not entitled to the concession of anticipatory bail.

Heard.

One of the main pillars of jurisprudence on which the criminal justice system is based, is the presumption of innocence until proven guilty. If seen in that context, the provision of anticipatory bail, in its essence, can be understood as a safeguard to prevent the curtailment of liberty of an individual, a cherished constitutional guarantee, in circumstances where arrest may be unwarranted, arbitrary, or mala fide. This discretionary power, trite to say, must be exercised judiciously, based on considerations, which include but are not limited to, the nature and gravity of the allegations, the antecedents of the accused, the possibility of the fleeing from justice, and the likelihood of the evidence being tampered with and witnesses being influenced.

Reverting to the case in hand, the petitioner as well as the complainant are admittedly working in the same department. The allegations of sexual harassment of a female colleague at work place, have been levelled against the petitioner, veracity of which



shall be determined during the course of trial, being disputed question of facts.

In view of the above, the petitioner is directed to join investigation before the Investigating Agency/Officer. They shall abide by the following conditions as envisaged under Section 482(2) BNSS, 2023;-

(1) That the petitioner shall make himself available for interrogation by a police officer as and when required to do so.

(2) That the petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts to the case so as to dissuade him from disclosing such facts to Court or to any police officer.

(3) That the petitioner shall not leave India without prior permission of the Court.

Needless to mention that the investigating agency/officer shall continue with the investigation of the case in usual manner.

Adjourned to 13.10.2025.

It is made clear that nothing contained hereinabove shall have any bearings on the merits of the case, lest it may prejudice the trial.”

3. Learned State counsel on instructions from SI Neelam, submits that in compliance of order dated 24.9.2025, the petitioner has joined the investigation and is not required for any further investigation.

4. Having considered the aforesaid facts and circumstances, the petition is allowed. Order dated 24.9.2025 passed by this Court, is hereby made absolute.

5. This order should not be treated as "blanket" order. It will not be read granting the petitioner(s) indefinite protection from arrest. It shall be confined to the FIR mentioned *ibid* and will not operate in respect of any other incident that involves commission of an offence.

6. This order does not in any manner limit or restrict the rights or duties of the police or investigating agency to investigate into the charges against the petitioner(s).

7. The accused-petitioner(s) shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of



the case so as to dissuade him or her from disclosing such facts to the Court or to any police officer.

8. The accused-petitioner(s) shall not leave India without prior permission of the Court.

9. The accused-petitioner(s) shall join the investigation as and when called by the police.

10. In addition, the petitioner shall not make any attempt to re-associate with the prosecutrix in any manner either through a device or in person.

11. It will be open to the police or the investigating agency to move to this Court for a direction under Section 483(3) of BNSS, 2023 (erstwhile Section 439(2) of Cr.P.C.) to arrest the accused-petitioner(s), in the event of violation of any term, such as absconding, non-cooperating during investigation, evasion, intimidation or inducement to witnesses with a view to influence outcome of the investigation or trial.

12. Pending miscellaneous application(s), if any, also stands disposed of.

(KIRTI SINGH)
JUDGE

October 13, 2025
Gurpreet Singh

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No