



CRM-M-52913-2025

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

(210)

CRM-M-52913-2025

Date of Decision:- 24.09.2025

Bhag Chand

.....Petitioner

Versus

State of Haryana.

.....Respondent

CORAM: HON'BLE MR. JUSTICE ALOK JAIN

Present: Mr. Virender Kumar, Advocate for the petitioner.

Ms. Swati Batra, Sr. DAG, Haryana.

ALOK JAIN, J. (Oral)

1. Prayer is for grant of regular bail to the petitioner in case FIR No. 0046 dated 02.07.2022, under Sections 450, 376(3) of IPC and Section 6 POCSO Act, registered at Police Station Assandh District Karnal
2. Learned counsel for the petitioner submits that the prosecutrix is repeatedly improving her version, as initially there was no allegation of any penetrative sexual assault against the petitioner and the original complaint was only with regard to an attempt thereof, the FSL report also does not support the prosecution case and it is only when the prosecutrix appeared before the learned trial Court for recording of her testimony that she improvised the version and the allegations were levelled.
3. Learned State counsel has filed the custody certificate, which is taken on record, according to which the petitioner is in custody for 03 years 02 months and 16 days but she could not deny the fact that all the material witnesses have been examined. Learned State counsel further submits that out of 16 witnesses 10 witnesses have already been examined and the trial is at a



good pace.

4. After hearing learned counsel for the parties and considering the fact that the petitioner is in custody since 08.07.2022 and the trial is likely to take long time, hence, no useful purpose would be served by keeping the petitioner in custody.

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

- i. The petitioner shall declare his/her ordinary place of residence and the mobile number used by him/her.
- ii. The petitioner will not switch off his/her mobile and in case of any technical glitch, he/she has to give an alternate number, which will be available in his absence.
- iii. The petitioner will mark his/her presence before the SHO concerned, after every 15 days and in case the SHO refuses to mark his/her presence, he/she 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/she will submit the copy of his/her passport also. However, in case, the petitioner does not possess a passport, then he/she shall file an undertaking to the said effect from being released.



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6. The petitioner shall abide by the terms and conditions as imposed in addition to Section 483 of BNSS, 2023 (Section 439 Cr.P.C.).
7. 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.
8. It is made clear that, in case, the petitioners are found involved in any such activity once again, the present concession granted shall automatically stand vacated.

September 24, 2025

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Whether speaking/reasoned:-

Yes/No

Whether Reportable:-

Yes/No

**(ALOK JAIN)
JUDGE**