



CRA-S-778-2025

-1-

281

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

CRA-S-778-2025

Date of Decision:- 31.07.2025

Jitesh @ Sachin

....Appellant

Vs.

State of Haryana and Anr.

...Respondents

CORAM:- HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present:- Mr. Sirat Sapra, Advocate for the appellant (through V.C.).

Mr. Ayuwan Singh, AAG, Haryana.

AMARJOT BHATTI, J.

1. Appellant Jitesh @ Sachin has filed present appeal against impugned order dated 11.02.2025 passed by learned Additional Sessions Judge, Rohtak vide which his anticipatory bail application in FIR No.277 dated 13.11.2024, under Sections 328, 376(2)(n), 506 of IPC, registered at Police Station Arya Nagar, Rohtak (Section 3(2)(v) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 was added later on) was dismissed. The aforesaid order is liable to be set aside and the present appellant may be released on anticipatory bail.

2. As per the facts, prosecutrix gave her statement that she used to live with her maternal grandmother in Gandhi Camp, Rohtak. She came in contact with Jitesh alias Sachin living in their neighbourhood. He called her to his house and gave cold drink laced with some intoxicant. Thereafter, he maintained physical relations with her against her wishes and started



CRA-S-778-2025

-2-

blackmailing her. He developed physical relations with her several times. He deceived her by saying that he would marry her. With the passage of time, she realized that he will not marry her and she stopped having relationship. Taking undue advantage of her illiteracy, a live-in relationship paper was got prepared on 23-09-2024 and after three days, the said document was cancelled so that she could not take any action against him for having illicit relationship with her. She was sexually exploited and cheated by the accused with false promise of marriage. She also faced threats from accused Jitesh alias Sachin and his family members by stating that they would commit suicide by consuming poison and she will be implicated in the criminal case. Finally, the matter was reported to the police.

3. Learned counsel for appellant pointed out that offence under section 3 (2) (v) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 Act was added subsequently. Without proper appreciation of the facts, his anticipatory bail application was declined by learned Additional Sessions Judge, Rohtak by passing impugned order dated 11.02.2025. There is unexplained delay in lodging the report to the police. The victim was already married having two children. The alleged victim never took divorce from her first husband, therefore, there was no question of performing marriage with her. In fact, their relationship was consensual and they were in live-in relationship. The complainant even refused to undergo medical examination. Appellant has no criminal antecedents. He is ready and willing to join investigation as and when required. Therefore, impugned order dated 11.02.2025 may kindly be set aside by accepting the



CRA-S-778-2025

-3-

present appeal and he may be granted relief of anticipatory bail.

4. Appeal is opposed by learned counsel representing State. It is pointed out that there are specific serious allegations against the appellant. The prosecutrix belongs to scheduled caste category and her caste certificate was also taken into police possession. The statement of prosecutrix was recorded under Section 183 of B.N.S.S. (Annexure R-1). The live-in relationship agreement was produced by the complainant, which was duly verified from Notary Public and was found to be correct. Later on, the appellant got it cancelled. Appellant is required to join the investigation. Mobile phone used by him is yet to be recovered and he is to be medically examined. Provisions of Scheduled Castes and Scheduled Tribes Act are also involved. Therefore, his anticipatory bail application was rightly rejected by Learned Additional Sessions Judge, Rohtak.

5. I have considered the arguments and have gone through the record carefully. Present appellant is specifically named. As per the version of prosecutrix, firstly, she was raped by calling her to his house and provided her cold drink laced with some intoxicant. He prepared obscene video and started black-mailing her. Thereafter, he gave assurance to perform marriage with her. Later on, she realized that he will not perform marriage. In order to pacify her, he entered into a live-in relationship agreement dated 23-09-2024 (Annexure R-1) and the same was got cancelled on 26-09-2024, vide cancellation of live-in relationship (Annexure R-3). Present appellant is required to join the investigation. He has not denied the execution and cancellation of live-in relationship agreement. Mobile phone used by him is

**CRA-S-778-2025****-4-**

yet to be recovered. As per the status report, prosecutrix belongs to scheduled caste category.

Considering the gravity of offence and specific allegations, anticipatory bail application filed by petitioner was rightly declined vide impugned order dated 11-02-2025 by learned Additional Sessions Judge, Rothak and the same does not require any interference. Therefore, appeal preferred by the appellant is accordingly declined.

6. Pending miscellaneous application(s), if any, stand disposed of accordingly.

(AMARJOT BHATTI)
JUDGE

31.07.2025*sunil devi*

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