



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

204

CRM-M-29548-2025(O&M)

Date of Order:23.09.2025

Balwinder Nath**..Petitioner****Versus****State of Punjab****..Respondent****CORAM: HON'BLE MS. JUSTICE SHALINI SINGH NAGPAL**

Present: Mr. Ritesh Aggarwal, Advocate
for the petitioner.

Mr. Hardeep Singh Wadhwa, DAG Punjab.

SHALINI SINGH NAGPAL, JUDGE

1. Petitioner seeks regular bail in FIR No. 15 dated 27.02.2025 under Section 64 of Bharatiya Nyaya Sanhita, 2023, Police Station Phul, District Bathinda. This is his first petition for regular bail.

2. As per allegations, prosecutrix was married with Ravi Nath 18-19 years ago and had 5 children from him. She alleged that Balvinder Nath son of Mithu Nath resident of Bhadaur had been visiting their house for approximately 20 years and was well-known to them. About 6-7 days before 27.02.2025, said Balvinder Nath found her alone and forcibly committed rape. Out of fear she did not tell anyone. When she narrated the incident to her mother-in-law, she admitted her in Civil Hospital, Bathinda.

3. Learned counsel for the petitioner argued that prosecutrix was a mature lady aged 33 years and while appearing as a witness in the trial, she resiled from prosecution case. He further argued that even other witnesses, PW2 brother-in-law of the prosecutrix and PW3 her mother-in-law did not



support prosecution case. Statements of PW1, PW2, PW3, PW4 and PW5 recorded during the trial have been placed on record. It has been prayed that petitioner who had been falsely implicated, be enlarged on regular bail.

4. Learned State counsel opposed the prayer for bail on the ground of serious nature of allegations. Custody certificate has been placed on record.

5. Petitioner is in custody in the case for the last 6 months & 24 days. He is not involved in any other case. Considering the age of the prosecutrix and all relevant facts and circumstances of the case but without expressing any opinion on merits, the petition is allowed. Petitioner is ordered to be released on regular bail, subject to his furnishing adequate bail and surety bonds to the satisfaction of trial Court/Duty Magistrate.

6. All the pending miscellaneous applications, if any, stand disposed of.

(SHALINI SINGH NAGPAL)
JUDGE

23.09.2025
Sumit Singla

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