



CRM-M-31824-2025 (O&M)

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

(211)

CRM-M-31824-2025 (O&M).
Date of Decision:-16.10.2025.

Mohd. Sahil

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE ALOK JAIN

Present: Mr. Ramnish Puri, Advocate for the petitioner.

Ms. Akshita Chauhan, DAG, Haryana.

Dr. Kirandeep Kaur, Advocate for the complainant.

ALOK JAIN, J. (Oral)

1. The present petition is for grant of regular bail to the petitioner in FIR No.249 dated 13.10.2024 under Sections 137, 140(3), 333, 3(5) [238(a), 64(1), 61, 305 added later on] of BNS, 2023, registered at Police Station Nagina, District Nuh.

2. Learned counsel for the petitioner submits that the prosecutrix has been examined and the petitioner is in custody from the last 11 months. It is submitted that in fact the petitioner and the prosecutrix were in a consensual relationship, however, the father of the prosecutrix forcibly married her to someone else and when she came back to her place for religious ceremony of Chala (Khandawa), the same was not done and she



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herself eloped with the petitioner and stayed with him for 03 days at different places at different hotels. However, subsequently, on account of pressure from the families when they came back home, the present FIR was lodged and the statement of the prosecutrix was recorded and the petitioner was arrested. Learned counsel for the petitioner further submits that the petitioner himself is a young boy of 20 years and it is a clear cut case of adolescence love.

3. *Per contra*, learned State counsel, assisted by the counsel for the complainant has filed the custody certificate which is taken on record. It is submitted that the prosecutrix was under immense pressure and had been threatened by the police officials due to which she did not inform the police officials that she was physically abused by four people including the petitioner. Subsequently, in her testimony, she again repeated the same that she was threatened by the accused and his parents also to the effect that she will be eliminated but the said fact also does not find mention in her statement recorded under Section 183 of the BNSS, 2023.

4. Heard the learned counsel for the parties at length.

5. Considering the fact that the prosecutrix has been examined and she had been going to various hotels with the petitioner for 03 days continuously and being a major, she always knew what she was doing coupled with the fact that the petitioner is in custody from the last 11 months and 18 days, the petitioner deserves the concession of regular bail.

6. In light of the above coupled with the fact that the petitioner is in custody since 29.10.2024 and the trial is likely to take time, no useful



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purpose would be served by keeping the petitioner in custody, hence, the petitioner is entitled to the grant of concession of regular bail.

7. 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 his furnishing bail and surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned. He shall, however, be released on the following conditions:

- ❖ The petitioner shall declare his ordinary place of residence and the mobile number used by him.
- ❖ He will not switch off his mobile and in case of any technical glitch, he has to give an alternate number, which will be available in his absence.
- ❖ He will mark his presence before the SHO concerned, after every 15 days and in case the SHO refuses to mark his presence, he is permitted to make an application before the Illaqa Magistrate, concerned.
- ❖ He will not leave the country without the prior permission of the Court, for which he will submit the copy of his passport also. However, in case, the petitioner does not possess a valid passport, then he shall file an undertaking to the said effect before being released.

8. The petitioner shall abide by the terms and conditions as imposed in addition to Section 483 of BNSS, 2023.

9. However, nothing stated above shall be construed as a final



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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.

10. It is made clear that, in case, the petitioner is found involved in any such activity once again, the State is at liberty to promptly move an appropriate application for cancellation of bail detailing out the circumstances and violation of the condition(s) of bail.

11. Pending miscellaneous application(s) shall stand disposed of.

(ALOK JAIN)
JUDGE

October 16, 2025.

S. Sethi

Whether speaking/reasoned:- Yes/No
Whether Reportable:- Yes/No