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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-11526-2025 (O&M)

Date of decision: 31.07.2025

RISHIKANT

...Petitioner

Versus

STATE OF HARYANA

...Respondent

CORAM: HON'BLE MRS. JUSTICE **AMARJOT BHATTI**

Present: Mr. Rajesh Gupta, Advocate and
Mr. Ramandeep Singh, Advocate
for the petitioner.

Ms. Aditi Girdhar, AAG, Haryana.

AMARJOT BHATTI, J.

Petitioner has filed present petition under Section 483 of BNSS, 2023 for grant of regular bail in FIR No.295, dated 25.09.2024 under Sections 376(2)(n) of IPC and Section 6 of POCSO Act, registered at Police Station Bahalgarh, District Sonipat (challaned only under Section 376(2)(n) of IPC and Section 67 of IT Act).

2. As per facts of the case, prosecutrix filed written complaint against accused Rishikant with the allegations of sexual assault and blackmailing her by preparing obscene video and photographs. Prosecutrix alleged that she is 17 years old and was doing course of beauty parlour at Sonipat. She used to go on three wheeler/auto. She got friendly with Rishikant who took her mobile phone number. She was trapped in his love affair. About one year ago on the pretext of going for a party, he took her in a hotel and sexually exploited her. He prepared obscene videos and started blackmailing her. He raised demand for Rs.1,00,000/- otherwise, he would viral her videos and photographs. With these allegations, present

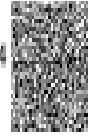


FIR has been registered.

3. Learned counsel for petitioner argued that allegations levelled against him are false. Their relationship was consensual. During investigation, provisions of POCSO Act were deleted. Petitioner was arrested in this case on 26.09.2024 and since then he is behind the bars. At present statement of prosecutrix is also recorded as PW-1 which is Annexure P-3. He is ready to abide by the terms and conditions of bail order, therefore, his regular bail petition may be allowed.

4. Bail petition is opposed by learned counsel representing State. As per the status report, facts narrated by the prosecutrix were confirmed. Her statement was recorded under Section 183 of BNSS (Annexure R-1) and she was also medically examined from Civil Hospital, Sonipat. Since the sexual act was done one year ago, therefore no samples were taken by the medical officer. Copy of MLR is Annexure R-2. Petitioner was arrested on 26.09.2024. Investigation was completed and challan was presented on 21.11.2024 and the charge sheet was also framed on 29.01.2025. At the time of filing status report, no witness was examined. It is pointed out that there are serious allegations against the petitioner. Therefore, he is not entitled to the concession of regular bail.

5. I have considered the arguments and have gone through the record. As per the status report, date of birth of the victim is mentioned as 12.02.2004. She has levelled allegations of rape and blackmailing that her obscene video and photographs will be uploaded on social media. She further alleged that petitioner/accused was raising demand for money. At present statement of prosecutrix has been recorded as PW-1 (Annexure P-3). Therefore, there is no chance that petitioner can influence



the prosecutrix. Trial in this case may take long time. Evidence on record will be appreciated by the trial Court at appropriate stage. Therefore, without expressing my mind on the merits of the case, regular bail petition filed by the petitioner – Rishikant is allowed. He is ordered to be released on bail on furnishing bail bonds and surety bonds to the satisfaction of trial Court/Duty Judge concerned.

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

(AMARJOT BHATTI)
JUDGE

31.07.2025

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| 1. Whether speaking/ reasoned | : | Yes /No |
| 2. Whether reportable | : | Yes /No |