



CRA-S-2665-2025

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

(206)

CRA-S-2665-2025.  
Date of Decision:-08.10.2025.

Anoop

.....Appellant

Versus

State of Haryana and another

.....Respondents

**CORAM: HON'BLE MR. JUSTICE ALOK JAIN**  
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Present: Mr. Rohit Mittal, Advocate for the appellant.

Ms. Swati Batra, Senior DAG, Haryana.

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**ALOK JAIN, J. (Oral)**

1. The present appeal has been filed against the impugned order dated 20.05.2025 passed by the Additional Sessions Judge, Hisar, whereby, regular bail application of the appellant in FIR No.005 dated 10.01.2025, under Sections 69, 89, 351(3), 3(5) of BNS, 2023 and Sections 3(2)(v), 3(1)(w)(ii) of SC/ST Act, registered at Women Police Station Hisar, has been dismissed.

2. In furtherance to the order dated 03.09.2025, learned State counsel has filed reply by way of an affidavit of Sh. Tanuj Sharma, H.P.S. Deputy Superintendent of Police, Traffic, Hisar, on behalf of the respondent-State of Haryana along with the FSL report (Annexure P-5) and other relevant Annexures as well as the custody certificate. The same are



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taken on record.

3. Mr. Abhay Pratap Singh Chauhan, Advocate, has put in appearance on behalf of the complainant and filed his power of attorney, which is taken on record.

4. Learned counsel for the appellant has reiterated his contention that there is an inordinate and unexplained delay of more than 2 ½ years in lodging the FIR and the prosecutrix is more than 30 years old lady employed as a Nurse while the appellant was 04 years younger to her. Learned counsel for the petitioner submits that the relationship between the appellant and the prosecutrix was consensual and the present FIR is the outcome of the fall out of the said relationship. It is submitted that no casteist remarks were made by the appellant and the provisions of SC/ST Act have been invoked only to harass the appellant.

5. *Per contra*, learned State counsel assisted by counsel for the complainant submits that the delay is clearly explained in the FIR itself and it was a case of consensual relationship but the consent was obtained on the false pretext of marriage. Learned counsel for the complainant has submitted that there is cogent evidence of the promise to marry made by the appellant and therefore, the appellant has committed the offence. Learned State counsel submits that casteist remarks were hurled by the appellant in public in the Panchayat only to demean the complainant. It is further submitted by the learned State counsel that 03 out of 26 prosecution witnesses have been examined, however, the prosecutrix has not been examined yet and the next date of hearing is 01.12.2025 before the learned



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Court below.

6. In rebuttal, learned counsel for petitioner submits that even as per the statement recorded under Section 183 of the BNSS, 2023, vague allegations of getting an abortion done were levelled against the appellant and be that as it may, there is a difference between the consensual relationship and emphasized that all the digital equipments are already in the custody of the prosecutrix and nothing is to be recovered from the appellant and the trial is likely to take some time.

7. Learned counsel for the complainant has expressed his apprehension that the grant of regular bail to the appellant at this stage, would severely affect the trial as there is every likelihood that the appellant will intimidate and pressurize the complainant before her testimony is recorded.

8. Heard the learned counsel for the parties at length and considering the fact that the complainant is a 30 years old lady and rest of the issues being a matter of trial coupled with the fact that the appellant is in custody from the last more than 07 months and 18 days and nothing is to be recovered from him and 3 out of 26 witnesses have been examined, the appellant can be granted the concession of regular bail by imposing strict conditions with regard to his act and conduct.

9. Without commenting upon the merits, the present petition is allowed and the appellant 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,



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however, be released on the following conditions:

- ❖ The appellant 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.

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

11. In addition to the above conditions, the appellant is also restrained from contacting the complainant directly or indirectly in person or any digital mode in any manner whatsoever during the trial and in case the appellant violates these conditions, the complainant as well as the State will be at liberty to move an appropriate application to the authorities seeking cancellation of bail.

12. 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.

13. 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.

14. It is further made clear that the observations made in this order are only for the purpose of grant of regular bail to the appellant and shall not be looked by the learned trial Court during the trial.

**(ALOK JAIN)**  
**JUDGE**

**October 08, 2025.**

*S. Sethi*

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