



CRM-M-929-2025

220

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-929-2025

Date of Decision: 21.01.2025

Bittu

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MS. JUSTICE KIRTI SINGH

Present: Mr. Pawan Attri, Advocate
for the petitioner

Mr. Anmol Malik, DAG Haryana

KIRTI SINGH, J.(Oral)

The jurisdiction of this Court under Section 483 BNSS has been invoked for grant of regular bail to the petitioner in case FIR No.261 dated 19.08.2023, under Sections 354, 354-A, 506 IPC and Section 10 of POCSO Act, 2012 (Sections 363, 366-A IPC added later on) registered at Police Station Sadar Kaithal, District Kaithal, Haryana.

2. The contents of the above-mentioned FIR are reproduced herein below:-

“At this time, Reena, wife of Naresh Kumar, resident of Dohar, came to the police station and presented a complaint which is as follows: To SHO Saheb, Police Station Sadar Kaithal, Sir, it is requested that Reena, wife of Naresh Kumar, resident of Dohar, on 19/8/2023, at around 06:30 PM, I had gone for a walk in the field and at home my husband Naresh Kumar was feeding the animals and my children had gone to play, my daughter Sitani, aged 7 years, was coming



CRM-M-929-2025

home from Baba Mirza Giri and on the way, Bittu S/O Ramdiya after giving allurement of money and other things took my daughter Sivani in his lap, took her to a secluded bush, and molested my daughter with bad intentions and took out his urine and made dirty gestures. When, my daughter screamed, on hearing the scream I went towards the bushes where my daughter Sivani was crying. Seeing me coming, he threatened to kill me and ran away. After that I asked my daughter and on asking, Sivani told me the entire thing. I request you to take action against Bittu. SD/- Reena. ”

3. Learned counsel for the petitioner submits that petitioner has been falsely implicated in this case and there is no incriminating evidence against him. He further submits that the petitioner has undergone actual custody of 01 year, 04 months and 28 days and there is no other case registered against him.

4. Per contra, learned State counsel has vehemently opposed the submissions made by the learned counsel for the petitioner. He submits that the offence has been committed by the petitioner with an innocent girl of 07 years of age. He further contended that the child victim was examined on 14.10.2024 and she has supported the prosecution case. As per the custody certificate, the petitioner has undergone actual custody of 01 year, 04 months and 28 days and there is no other case registered against him. He on instructions submits that charges were framed on 07.12.2023 and out of 10 prosecution witnesses, 07 prosecution witnesses have been examined.

5. Heard the rival submissions made by learned counsel for the parties.

6. Admittedly, the petitioner has been in custody since 22.08.2023. The allegations levelled against the petitioner are very grave and serious in nature.

The victim is of a tender age of 07 years. She has supported the prosecution case.



CRM-M-929-2025

The allegations pertain to sexual exploitation of a minor which not only violates the victim's fundamental rights but also undermines societal trust and safety. In view of the serious allegations levelled against the petitioner, this Court finds no merit in granting the regular bail at this stage.

7. The petition is dismissed.

21.01.2025

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(KIRTI SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No