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

CRM-M-4271-2025

Date of Decision:- 04.04.2025

MANISH ALIAS MANNU

...Petitioner

Vs.

STATE OF HARYANA

...Respondent

CORAM:- HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present:- Mr. Omkar Chauhan, Advocate for the petitioner.

Ms. Aditi Girdhar, AAG, Haryana.

AMARJOT BHATTI, J. (Oral)

1. Petitioner has filed instant petition under Section 483 of BNSS, 2023 for grant of regular bail in FIR No.31 dated 18.03.2023 (Annexure P-1) under Sections 323, 328, 366 of IPC and Section 4/8/12 of POCSO Act registered at Police Station Women Ballabhgarh, District Faridabad.

2. As per the facts of the case, prosecutrix gave her statement that she had gone to parental house to see her mother and her children as they were alone at home. His daughter 'P' went to CNG pump to bring her younger brother, from there Sheetal and Manish abducted her in a car and she remained with them from 6 am to 2 pm. Thereafter, they left her at the chowk near Masjid No.3 from where she went to the house of her *bua* and



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informed about the occurrence on phone. Aforesaid persons used force on victim and gave her beating. With these allegations, present FIR has been registered.

3. Learned counsel for petitioner argued that allegations levelled against him are false. His regular bail application has been wrongly declined by learned Additional Sessions Judge, Faridabad vide order dated 10.12.2024 (Annexure P-3). During investigation, Sheetal was declared innocent and challan was presented against him alone. Statement of victim was recorded under Section 164 Cr.P.C. where she has not levelled any allegations of rape. No offence under Section 4 of POCSO Act is made out. During trial, statements of the witnesses i.e. the alleged victim - PW1, aunt of victim - PW2 and mother of victim - PW3 (Annexure P-8) have been recorded where they have not supported the prosecution case. Trial in this case is likely to take long time. Petitioner is ready to abide by the terms of bail order. Therefore, his regular bail application may be allowed.

4. Bail application is opposed by learned counsel representing State. Status report has been filed. It is pointed out that during the course of investigation, CCTV footage was collected and the victim was found in the company of present petitioner. Disclosure statement of petitioner was also recorded during investigation. Reports of RFSL and DNA (Annexure R-5) are already received. It is pointed out that in-case petitioner is granted bail he will try to influence the witnesses or may abscond.

5. I have considered the arguments and have gone through the



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record. In the case in hand, petitioner was arrested on 26.03.2023 and till date he is behind the bars. After framing of chargesheet statements of witnesses are being recorded. It is rightly pointed out that prosecutrix (PW1), her *bua* (PW2) and complainant (PW3) have not supported the prosecution case and they were declared hostile. Till date, out of 29 prosecution witnesses, 3 witnesses have been examined. Conclusion of trial may take long time. So far as reports of RFSL and DNA are concerned, same can be considered and looked into at appropriate stage. Without going on the merits of the case, regular bail application filed by petitioner is allowed and he is ordered to be released on bail to the satisfaction of trial Court/Duty Judge, concerned.

04.04.2025

*snd***(AMARJOT BHATTI)
JUDGE**

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