



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

**CRM-M-5055-2025 (O&M)
Date of Decision:-03.02.2025**

Aryan

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present:- Mr. Raj Kumar Chauhan, Advocate for the petitioner.
Mr. Ayuwan Singh, AAG, Haryana.
Mr. Raghav Sharma, Advocate for the complainant.

JASGURPREET SINGH PURI J.(Oral)

1. The present petition has been filed under Section 483 of BNSS, for grant of regular bail to the petitioner in case bearing FIR No.37 dated 13.07.2024 under Sections 6 of POCSO Act and 351 (2), 64(2) (m) of BNS, 2023, registered at Police Station Women, Karnal, Haryana.
2. Learned counsel appearing on behalf of the petitioner submitted that the petitioner has been in custody for about 06 months. The investigation in the case has been completed and the challan has been presented. He submitted that this is a case where the allegations against the petitioner relate to enticing away of 16 years old minor daughter of the complainant and commission of repeated rape in a hotel. He submitted that the prosecutrix has not been examined as she has not come forth to depose before the Court and the allegations against the petitioner are totally false. Furthermore, there were no external injuries in the medical examination report, and therefore, the petitioner may be considered for the grant of regular bail.



3. On the other hand, learned State counsel submitted that, insofar as the custody of the petitioner is concerned, the same is correct and the investigation in the present case has already been completed and challan has also been presented. He, however opposed for the grant of regular bail on the ground that it is a case where the petitioner has enticed away the minor daughter of the complainant and committed repeated rape upon her. He submitted the even till date the prosecutrix has not been examined and the custody of the petitioner is only six months. He further submitted that, considering the gravity and seriousness of the offence, the petitioner may not be granted regular bail.

4. I have heard the learned counsels for the parties.

5. The custody of the petitioner has come out to be about 06 months. The prosecutrix is stated to be 16 years of age at the time of occurrence. The role of the petitioner and the allegations against him would show that the matter is not only serious but also the gravity of the offence would not entitle the petitioner to be granted regular bail, especially in view of the fact that the prosecutrix has not been examined till date.

6. Consequently, finding no merit in the present petition, the same is hereby dismissed.

7. However, anything observed hereinabove shall not be treated as an expression of opinion on the merits of the case and is meant for the purpose of deciding the present petition only.

(JASGURPREET SINGH PURI)
JUDGE

03.02.2025

shweta

Whether speaking/reasoned

: Yes/No

Whether reportable

: Yes/No