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

CRM-M-10069-2025

Date of Decision:- 11.07.2025

Shahnoor Ali

...Petitioner

Vs.

State of Haryana

...Respondent

CORAM:-HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present:- Mr. Bobby Girdhar, Advocate
for the petitioner.

Mr. Sulinder Kumar, DAG, Haryana.

AMARJOT BHATTI, J.(Oral)

1. Petitioner – Shahnoor Ali has filed petition under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail in case FIR No. 198 dated 08.11.2022 under Section 323 of IPC and under Section 12 of POCSO Act, 2012 registered at Police Station Women West, Gurugram and Section 506 of IPC added later.

2. Facts of the case are, prosecutrix gave her statement that on 04.11.2022, she alongwith her mother came to attend wedding at Kartarpur, Sector-23, Community Centre, Gurugram. In the said function, one boy approached her and pointed out towards another boy that he liked her. She told him that her mother had come in the said function and he should talk to her. Accused persons started asking for her mobile phone number and started following her and further harassed her. When she was to leave the venue, accused caught hold of her arm and compelled to give her mobile

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phone, otherwise, he would not leave her. Said boys started having scuffle with her and her mother. Police was informed. Name and whereabouts of said boy was inquired from the people present there. With these allegations, present FIR has been registered.

3. Learned counsel for petitioner argued that earlier he was arrested in this case and was released on bail vide order dated 27.02.2023 (Annexure P-2). Petitioner did not appear before the trial Court and finally he was declared proclaimed person on 30.11.2024. Copy of order is Annexure P-3. There was no intention on his part to abscond, therefore, he surrendered on 08.01.2025 and filed application seeking bail. His bail application was declined by learned Additional Sessions Judge, (Fast Track Special Court under the POCSO Act, 2012), Gurugram vide order dated 14.01.2025 (Annexure P-4). Since, then he is behind the bars. Learned counsel for petitioner pointed out that petitioner will 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 of Haryana. Detailed status report has been filed confirming the aforesaid factual position. It is pointed out that there are specific serious allegations against petitioner. Prosecutrix is a minor girl. Her statement recorded under Section 164 Cr.P.C. is Annexure R-1. Petitioner misused the concession of bail, as a result his arrest warrants were issued and was ultimately declared proclaimed person vide order dated 30.11.2024. Prosecution evidence is going on and out of 10 prosecution witnesses, 06 witnesses have been examined. Considering the nature of allegations, bail petition filed by

petitioner is opposed.

5. I have considered the facts narrated in bail petition as well as detailed in status report. It is matter of record that during the pendency of trial, petitioner absented and was declared proclaimed person vide order dated 30.11.2024. Fact remains that he surrendered before the trial Court on 08.01.2025 and now he is behind the bars. Six prosecution witnesses have already been examined. Trial in this case may take some time. Since, petitioner had surrendered on his own, therefore, lenient view is taken and regular bail petition filed by petitioner Shahnoor Ali is allowed. He is ordered to be released on bail on furnishing bail bonds with two local sureties to the satisfaction of trial Court/Duty Judge concerned.

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

11.07.2025
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(AMARJOT BHATTI)
JUDGE

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