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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-12102-2024 (O&M)
Date of Decision:- 21.02.2025

SUNIL KUMARPetitioner

Vs.

STATE OF HARYANA AND ANOTHER ...Respondents

CORAM:- HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present:- Mr. Gaurav Gupta, Advocate for
Mr. Kamal Mor, Advocate for the petitioner.

Ms. Aditi Girdhar, AAG, Haryana.

Mr. Ashok K. Sharma (Bhana), Advocate for Mr. Gaurav
Singla, Advocate for respondent No.2.

AMARJOT BHATTI, J.

CRM-7511-2025

Learned counsel for applicant/petitioner has filed an application
for placing on record Annexure A-1.

Learned counsel for the State submits that he has no objection
to the application being allowed.

For the reasons mentioned in the application and no objection
suffered by State counsel, application is allowed and accompanied document
is taken on record as Annexure A-1, subject to just exceptions.

Main case.

1. Petitioner has filed instant petition under Section 439 Cr.P.C.



for grant of regular bail in FIR No.885 dated 21.11.2022 under Sections 363, 366A, 450 of IPC and Section 6 of Protection of Children from Sexual Offences Act, 2012 registered at Police Station Indri, District Karnal.

2. As per the facts of the case, complainant/prosecutrix gave her statement that her daughter i.e. the victim aged 16 years was taken away by Sunil son of Subhash on 01.10.2022 by giving her allurements of marriage. They received call from someone that her daughter had performed marriage with Sunil. Complainant alleged that she tried to search her daughter but failed and finally the matter was reported to the police.

3. Learned counsel for the petitioner argued that allegations levelled against him are false. Alleged victim was major. They fell in love and got married. Complainant was unhappy with their marriage and because of this, false FIR has been lodged. Alleged victim fully supported these facts when her statement was recorded under Section 164 Cr.P.C. before learned JMJC, Indri on 12.12.2022 (Annexure P-2). Her statement is also recorded in Court as PW1 (Annexure P-3) where she again supported the aforesaid facts. Statement of complainant recorded as PW-3 is also produced as Annexure A-1. Victim, at present, is mother of a child and she is living in matrimonial home and this fact is also verified and confirmed in the status report. It is pointed out that petitioner is behind the bars since 05.01.2023. Trial in this case is likely to take some time. He will abide by the terms of bail order.

4. Learned State counsel opposed the bail application by relying on status report dated 22.04.2024 and supplementary status report 20.02.2025 filed today in Court. He submits that keeping in view the



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allegations levelled in the FIR, petitioner is not entitled for bail.

5. I have considered the arguments and have gone through the record. In the case in hand, challan was presented on 13.02.2023 and after framing of chargesheet, prosecution evidence is being recorded. It is confirmed in the status report that victim did not support the prosecution case as PW1. In the recent status report, it is further confirmed that said victim is mother of a son who is about 1½ years old. She is residing in matrimonial home with the parents of present petitioner. Said statement is Annexure R-1. Aforesaid facts indicate that all material witnesses have been recorded. Conclusion of trial may take some time. Evidence recorded before the trial Court will be appreciated at appropriate stage. Therefore, without expressing my mind on the merits of the case, regular bail application filed by petitioner Sunil Kumar is allowed and he is ordered to be released on bail to the satisfaction of trial Court/Duty Judge, concerned.

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

(AMARJOT BHATTI)
JUDGE

21.02.2025

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Whether speaking/reasoned: Yes/No.

Whether reportable: Yes/No