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

CRM-M-11829-2025

Date of Decision:- 31.07.2025

RAJDEEP KUMAR

....Petitioner

Vs.

STATE OF PUNJAB

...Respondent

CORAM:- HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present:- Mr. Lupil Gupta, Advocate for the petitioner.

Ms. Amrit Kaur Mahir, AAG, Punjab.

AMARJOT BHATTI, J.

1. Petitioner has filed instant petition under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of anticipatory bail in FIR No.125 dated 21.11.2024 under Sections 137 (2), 96 of Bharatiya Nyaya Sanhita, 2023 (Old Sections 363 and 366-A IPC) registered at Police Station Dayalpura, District Bathinda (Annexure P-1).

2. Facts of the case are, complainant 'AS' gave his statement that his daughter 'SK' was born on 15.04.2008 and she is about 16 ½ years of age. She was studying in 12th class in Government Senior Secondary School, Akalia Jalal. She used to go to her school on foot. On 12.10.2024 when he returned home at night time, his wife told him that their daughter had left the house at 11 am to buy sports dress and thereafter, she did not return home. They tried to search the victim at their own level but could not locate her. It



was revealed that while leaving home, she picked away her mobile phone with SIM No.99154-56451. Later-on, their relative Vijay Singh disclosed that he had seen victim near Fauji Chowk, Bathinda in an Auto in the company of Rajdeep. He tried to chase the auto but missed it. Therefore, his daughter has been enticed away by Rajdeep on the pretext of marriage. With these allegations, present FIR has been registered.

3. Learned counsel for the petitioner argued that allegations levelled against him are false. Victim was recovered on 14.12.2024 and her statement was recorded under Section 183 of Bharatiya Nagarik Suraksha Sanhita, 2023 where she had refused to accompany her father and also refused to undergo medical examination. Petitioner and the alleged victim were in live-in relationship. FIR was lodged with false allegations. Police is raiding his house. He is ready to join the investigation as and when required. Therefore, his anticipatory bail petition may be allowed.

4. Status report has been filed according to which investigating agency was trying to trace the victim with the help of call detail record. On 14.12.2024, Investigating Officer received information that the victim had appeared before Illaqa Magistrate at Phul. On this, Investigating Officer reached there and the statement of the victim was recorded under Section 183 Bharatiya Nagarik Suraksha Sanhita, 2023. Copy of said statement is Annexure R2/T. Victim was taken to Civil Hospital, Rampura but she has refused for medical examination. She was also produced before CWC, Bathinda and thereafter she was sent to Sakhi Centre, Bathinda. Petitioner is avoiding his arrest. He is yet to join the investigation. Mobile phone used by him is yet to be recovered and investigation is to be completed thereafter.

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There are specific serious allegations. Therefore, he is not entitled to be released on anticipatory bail.

5. I have considered the arguments and have gone through the record. As per the facts of the case, victim is 16 ½ years old whereas age of petitioner is mentioned as 29 years. Victim allegedly left the house on 12.10.2024 and finally she appeared before the Illaqa Magistrate at Phul on 14.12.2024. I have considered the statement of victim recorded under Section 183 Bharatiya Nagarik Suraksha Sanhita, 2023 before Magistrate (Annexure R2/T). She also refused for her medical examination. However, fact remains that the victim was a minor. Matter requires thorough investigation. Mobile phone used by the petitioner is yet to be recovered. His custodial interrogation is required. Considering the allegations and the gravity of offence, I do not find a fit case for grant of anticipatory bail and the same is, accordingly, declined.

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

(AMARJOT BHATTI)
JUDGE

31.07.2025

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