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

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Date of Decision:-15.05.2025

Vikram

...Petitioner

Vs.

State of Haryana

...Respondent

CORAM:-HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present:- Mr. Tushar Gautam, Advocate for petitioner.

Ms. Aditi Girdhar, AAG, Haryana.

AMARJOT BHATTI, J.

1. The petitioner – Vikram has filed petition under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail in FIR No.427 dated 10.12.2024, under Section 6 of POCSO Act and Sections 137, 96 of BNS, 2023, registered at Police Station Ferozepur, Jhirka, Distt. Nuh.

2. As per facts of case, complainant 'J' filed written complaint that he was working at Asha Brick Bhatta Agone Ferozepur, Jhirka. His daughter 'K' aged about 17 years left the house on 24.11.2024 at mid night with Vikram. He tried to search his daughter but could not locate her whereabouts. Ultimately, the matter was reported to the police and present FIR was registered.

During investigation, on 14.12.2024 information was received from Police Station Sikri that victim 'K' has been recovered by the police.

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Her statement was recorded under Section 183 of BNS and thereafter, offence under Section 6 of POCSO, Act was added.

3. Learned counsel for petitioner argued that petitioner was arrested in this case on 15.12.2024 and till date he is behind the bars. Allegations levelled against the petitioner are false. As per Aadhar Card of the alleged victim, she was more than 18 years of age. They solemnized marriage with their mutual consent on 25.11.2024 and filed protection petition before High Court of Rajasthan at Jaipur Bench, Jaipur and order dated 06.12.2024 passed in the said protection petition is Annexure P-3. Subsequently, statement of the said victim was recorded under Section 183 of BNS on 15.12.2024 which is Annexure P-4 where she fully supported the case of petitioner. Later on under the pressure of her family members, she has given statement recorded in the Court as PW-1. Petitioner is ready to abide by the terms and conditions of bail order. Therefore, his regular bail application may be allowed.

4. Bail petition is opposed by learned counsel representing State. Status report has been filed. At present, challan has been presented on 18.01.2025 and charges were framed on 01.02.2025. Thereafter, supplementary challan against present petitioner was presented on 29.03.2025. Two prosecution witnesses have been examined i.e. the victim and her father. Their statements are Annexures P-7 and P-8. As per school record (Annexure R-1), date of birth of the victim was 07.08.2007, therefore, she was minor. Allegations are specific and serious in nature. Therefore, considering the gravity of offence, petitioner is not entitled to be released on bail.



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5. I have considered the aforesaid factual position. Trial in this case is going on. Petitioner is behind the bars since 15.12.2024. At present statements of victim and her father have been recorded as PW-1 and PW-2 respectively, which are annexed with the status report. Learned counsel for petitioner has also placed on record protection petition filed before Rajasthan High Court where it was claimed that they had performed marriage on 25.11.2024. There is statement of victim recorded under Section 183 of BNS (Annexure P-3) confirming the aforesaid factual position. At present statements of material witnesses have been recorded. Trial in this case may take some time. Statements of the witnesses and the defence raised by the petitioner will be considered by learned trial Court at appropriate stage. Therefore, without expressing my mind on merits of the case, regular bail petition filed by petitioner – Vikram is allowed. He is ordered to be released on bail on furnishing bail bonds and surety bonds to the satisfaction of trial Court/Duty Judge concerned.
6. Pending miscellaneous application(s), if any, stand disposed of accordingly as well.

15.05.2025

*Sunil Devi***(AMARJOT BHATTI)
JUDGE**Whether speaking/reasoned:
Whether reportable:Yes/No
Yes/No