



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

CRM-M-19203-2025 (O&M)
Reserved on: 03.11.2025
Pronounced on: 04.11.2025

AMIT KUMAR **...Petitioner**

V/S

STATE OF HARYANA AND ANOTHER **...Respondents**

CORAM: HON'BLE MS. JUSTICE SHALINI SINGH NAGPAL

Present: Mr. Sunil Kumar Goswami, Advocate
for the petitioner.

Ms. Kanica Sachdeva, DAG Haryana.

None for respondent No. 2.

SHALINI SINGH NAGPAL, J.

Petitioner seeks regular bail in case arising out of FIR No. 70 dated 16.03.2024 under Sections 363, 366-A Indian Penal Code, Police Station Narwana City, District Jind. Offences under Sections 376(2)(n), 506, 34 Indian Penal Code and Section 6 of Protection of Children from Sexual Offences Act, 2012 were added during investigation of the FIR. This is the first petition for regular bail.

Mother of the prosecutrix alleged that on 16.03.2024, at about 6.30 PM, when her daughter and mother-in-law were alone at home, Amit son of Pawan resident of Gali No. 2, Baba Kundi, Tehsil Narwana, District Jind, took

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her daughter aged 16 years on motor cycle and ran away, on the asking of Arjun son of Sudhir, resident of Hansi.

Learned counsel for the petitioner submits that petitioner had been falsely implicated in the case and had no role in the commission of offence. Even if the facts narrated in the FIR were taken as true, his role was only of a facilitator in elopement. He was in custody for last more than 01 year 07 months and allegation of rape was levelled against co-accused. As such, petitioner deserved to be enlarged on bail.

Respondent No. 2 is served personally but has failed to put in appearance on her behalf.

Learned State counsel has placed on record custody certificate and has opposed the prayer for regular bail.

Allegations under Section 376(2)(n) and Section 6 POCSO Act, have been levelled against co-accused Arjun and not against the petitioner. In her statement under Section 164 Cr.P.C, prosecutrix stated before learned Judicial Magistrate Ist Class, Narwana that Arjun sent Amit to her house on 16.03.2024 and she came to Railway Station Narwana with him. Statement of the prosecutrix has been recorded during the course of trial. There is, thus, no apprehension of the petitioner tampering with the evidence. Considering the period of custody undergone by the petitioner i.e. 01 year 07 months and 05 days, all relevant facts and circumstances of the case and his clean antecedents, but without commenting on the merits, the petition is allowed. Petitioner-Amit

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Kumar, is ordered to be released on regular bail on his furnishing bail bonds and surety bonds to the satisfaction of trial Court/Duty Magistrate concerned.

Pending CRM(s), if any, are also disposed of accordingly.

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Ajay Goswami

(SHALINI SINGH NAGPAL)
JUDGE

Whether speaking/reasoned

Whether reportable

: Yes/No

: Yes/No