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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-25983-2025

Date of Decision:- 28.08.2025

Tarif @ Munna

...Petitioner

Versus

State of Haryana

...Respondent

CORAM:- HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present:- Mr. Arun Sharma, Advocate
for the petitioner.

Mr. Viney Saini, AAG, Haryana.

AMARJOT BHATTI, J.(Oral)

1. Petitioner – Tarif @ Munna has filed 3rd petition under Section 439 Cr.P.C. for grant of regular bail in FIR No. 512 dated 26.12.2021 under Section 363, 365, 506, 34 of IPC registered at Police Station Ferozpur Jhirka, District Nuh.

2. As per the facts of case, complainant 'I' gave his statement that he is earning his livelihood by doing labour work. His house is abutting to jungle area. On 22.12.2021, at about 11:30 pm, he had gone to fields to irrigate his crop. In his absence, Wasim aged 25 years alongwith three other young boys entered his house forcibly and kidnapped his minor daughter 'R'. His wife and minor son shouted for help. They gave beating to his wife and minor son and forcibly took away his daughter. On receiving this information, he immediately reached home. He tried to search his daughter but could not locate her. He also went to the house of



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father and uncle of Wasim and talked about the occurrence. They were given assurance that his daughter will be returned in 1-2 days. Even then his daughter did not return and matter was put up before Panchayat and finally, complaint was filed for taking legal action.

During investigation, victim was recovered on 28.12.2021. She was medically examined and her statement was recorded under Section 164 Cr.P.C. Present petitioner was arrested on 06.02.2024. After completion of investigation, challan was presented in Court.

3. Learned counsel for petitioner argued that he was arrested in this case on 06.02.2024. All allegations levelled against him are false. During pendency of trial, statement of victim has been recorded as PW-1 (Annexure P-4). It is submitted that victim stated in her examination-in-chief, referring 4th line, that present petitioner was not among 3-4 persons who had accompanied Wasim. He also referred to the statement of victim recorded by police (Annexure P-2) and statement of victim recorded under Section 164 Cr.P.C. (Annexure P-3) alleging that initially he was not named by petitioner. His bail application was wrongly rejected by learned Additional Sessions Judge (Fast Track Special Court for Trial of Offences under POCSO Act), Nuh vide order dated 13.09.2024 (Annexure P-5). Thereafter, he had filed two more bail petitions seeking regular bail and same were dismissed as withdrawn on 21.10.2024 and 04.03.2025 (Annexures P-6 and P-7 respectively). Trial in this case may take long time. Therefore, it is prayed that regular bail petition may be allowed.



4. Bail petition is opposed by learned counsel representing State. It is pointed out that there are specific serious allegations against petitioner who was arrested on 06.02.2024. After completion of investigation, supplementary challan was presented on 16.04.2024. Charges are framed on 01.05.2024 and out of 31 prosecution witnesses, 11 prosecution witnesses are already examined. Present petitioner is involved in four other FIRs as detailed in para No. 15 of status report. There are serious allegations against petitioner. Therefore, he is not entitled to be released on regular bail.

5. I have considered the arguments and have gone through the record carefully. Present FIR was registered on the written complaint of complainant who is father of victim. Occurrence took place on the night of 22.12.2021 and finally, she was recovered on 28.12.2021. Statement of victim recorded by the police and before Magistrate under Section 164 Cr.P.C. are Annexures P-2 and P-3 respectively. Present petitioner is already facing trial. Learned counsel for petitioner referred to the statement of victim recorded by the Court on 21.08.2024 (Annexure P-4). Learned counsel for petitioner has tried to lay emphasis on single line in examination-in-chief where victim stated that present petitioner was not accompanying Wasim when they had come to her house and was kidnapped. In order to appreciate the facts, entire statement of victim as PW-1 is to be appreciated. Perusal of said statement indicates that alongwith other co-accused present petitioner also played active role in wrongful confining the victim as well as committing rape upon her.



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Statement of victim will be appreciated by the trial Court in the light of entire prosecution evidence at appropriate stage. Considering the facts of case and manner in which offence has been committed, I do not find merits in regular bail petition filed by petitioner Tarif alias Munna and same is, accordingly, dismissed.

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

28.08.2025

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(AMARJOT BHATTI)
JUDGE

Whether speaking/reasoned:
Whether reportable:

Yes/No
Yes/No