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

CRM-M-29859-2025

Date of Decision:- 04.08.2025

Aman

....Petitioner

Vs.

State of Haryana and another

...Respondents

CORAM:- HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present:- Mr. R.N. Lohan, Advocate
for the petitioner.

Mr. Ayuwan Singh, AAG, Haryana.

Ms. Tanya Vashist, Advocate
for respondent No. 2.

AMARJOT BHATTI, J.(Oral)

1. Petitioner Aman has filed petition under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of anticipatory bail in case FIR No. 134 dated 08.06.2024 registered under Section 363, 366-A, 376(2)(N), 376(3), 376-D, 506, 120-B of IPC and Section 6 of POCSO Act at Police Station Rajaund, District Kaithal.

2. Facts of the case are, complainant 'N' gave his statement that his daughter is 15 years 9 months old, studying in 11th class in Tagore Senior Secondary School, Kithana. On 07.06.2024, they went to sleep after having meals. At about 02:00 am, when he woke up, he found that his daughter was missing from the house. He inquired from his neighbours and relatives but could not locate the whereabouts of his minor daughter. He

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suspected that some unknown person had allured her daughter with intention to marry her. Finally, matter was reported to police and FIR was registered under Section 363, 366-A of IPC.

As per status report, on 09.06.2024, on the basis of secret information, SI Dalbir Singh reached Haridwar and recovered victim who was duly identified by her family members. Her statement was recorded under Section 164 Cr.P.C. on the same day and she was also medically examined on 12.06.2024. Co-accused Manjit was arrested and qua him challan was presented and he is facing trial. Whereas, other co-accused i.e. present petitioner alongwith Amit and Himanshu could not be arrested.

3. Learned counsel for petitioner argued that he is innocent and has not committed any offence. Statements of complainant as well as victim have been recorded before the trial Court. Same are Annexure P-1 and Annexure P-2. They have not supported prosecution case. Without considering the factual position, his anticipatory bail application was wrongly declined by learned Additional Sessions Judge, Special Court, Kaithal vide order dated 15.04.2025 (Annexure P-3). Co-accused Manjit is already granted bail vide order dated 19.02.2025 in CRM-M-58277-2024 (Annexure P-4). Petitioner is ready to abide by terms and conditions of bail order. Therefore, his anticipatory bail petition may be allowed.

4. Anticipatory bail petition is opposed by learned counsel representing State mainly on the ground that petitioner is absconding and till date he has not joined investigation. Therefore, he cannot claim any benefit regarding regular bail granted to co-accused Manjit. His custodial interrogation is required.

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5. I have considered the aforesaid factual position. It is matter of record that present petitioner Aman never joined investigation. I have gone through the statement of victim recorded under Section 164 Cr.P.C. (Annexure R-6) in which there are specific allegations against present petitioner. Statements of complainant and victim recorded before the trial Court (Annexures P-1 and P-2) are pertaining to trial faced by co-accused Manjit. Therefore, considering the specific allegations against present petitioner and considering the gravity of offence, he is not entitled to the concession of anticipatory bail and petition filed by him is, accordingly, dismissed.

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

04.08.2025

*lalit***(AMARJOT BHATTI)
JUDGE**

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No