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2025.PHHC:124859



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

**CRM-M-30184-2025
Date of decision:11.09.2025**

Sonu

...Petitioner

versus

State of Haryana and Another

...Respondents

CORAM: HON'BLE MS. JUSTICE SHALINI SINGH NAGPAL

Present: Mr. Sudhir Rana, Advocate,
Mr. Ankush Duhan, Advocate, and
Mr. Deepak Joon, Advocate
for petitioner.

Mr. Vikas Bhardwaj, AAG, Haryana.

Mr. Neeraj Sharma, Advocate
for respondent No.2.

SHALINI SINGH NAGPAL, J. (ORAL)

1. Petitioner seeks regular bail under Section 483 of the Bhartiya Nagarik Suraksha Sanhita, 2023 in case FIR No.408 dated 20.11.2023 under Sections 365, 376(3) and 376(2)(n) of Indian Penal Code, 1860 and Section 6 of POCSO Act, 2012 registered at Police Station Ram Nagar, District Karnal, Haryana. This is his second petition for regular bail. The first petition was dismissed on merits by this Court vide order dated 30.01.2025.

2. Learned Counsel for the petitioner submits prosecutrix was examined before the trial Court but she did not support case of the prosecution. Rather, in her examination, she stated that she was

impregnated by someone else, whose whereabouts were not known. He further submits that even statements of parents of the prosecutrix recorded as PW2 and PW3 were not incriminating. It is argued that after the dismissal of the first bail application, the report of DNA analysis had been received, which was not incriminating. Thus, a fresh ground for bail had accrued for release of the petitioner, who was in custody w.e.f. 21.12.2023.

3. Learned State Counsel has filed custody certificate dated 11.09.2025, which is taken on record. Mr. Neeraj Sharma, Advocate appears for respondent No.2 and places on record his *vakalatnama*, which is taken on record.

5. Learned State Counsel, submits that allegations against the petitioner were serious. Prosecutrix, at the time of alleged commission of offence was only 15 years 05 months old and allegations were that petitioner enticed her, made physical relations and impregnated her. Thereafter, she underwent an abortion. He, however, concedes that DNA report has been received but does not help the prosecution.

6. Petitioner is in custody in the case for more than one year and eight months. Prosecutrix and her parents have not supported prosecution case during trial. At the time of dismissal of the first bail application, DNA report was not received. After dismissal of first bail application, a fresh ground has accrued for release of the petitioner on bail, considering the DNA report which is not incriminating. Petitioner is, accordingly ordered to be released on bail to the satisfaction of the learned trial Court/Duty Magistrate.

7. Nothing observed hereinabove shall be construed to be an

opinion on the merits of the case.

8. Pending application(s), if any, stand disposed of.

(SHALINI SINGH NAGPAL)
JUDGE

11.09.2025
Sunil Chander