



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

202

CRM-M No.32360 of 2025

Date of Decision :18.06.2025

Naveen

.....Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR.JUSTICE VIKRAM AGGARWAL

Present: Mr. Onkar Singh Batalvi, Advocate and
Mr. Sourabh Kaushik, Advocate for the petitioner.

Mr. P.K.Longia, DAG, Haryana.

VIKRAM AGGARWAL, J. (Oral):

This is the first petition, preferred under Section 483 of Bharatiya Nagrik Suraksha Sanhita, 2023 (for short 'BNSS') for the grant of regular bail in FIR No.19, dated 24.01.2025 under Sections 354-D, 376(2)(n), 506, 509 IPC and Section-6, 10 & 17 of POCSO Act registered at Police Station Siwani, District Bhiwani.

2. On a compliant submitted by one "M", the present FIR was registered. The allegation is that the complainant was a student of class 11th in the year 2022. At that time Sahil and the present petitioner offered friendship to her which she refused to. After this they started harassing and threatening her. It was submitted that since her father was an alcoholic, she got afraid. The petitioner obtained her telephone number and rang her up and asked her to meet. When she met him, the petitioner committed rape with her and captured her photos and videos. Thereafter, he repeated the act a number of times threatening her to make the videos viral.

3. Learned counsel for the petitioner submits that the petitioner has



been falsely implicated. He submits that at the relevant time, even the petitioner was a minor. Learned counsel submits that the petitioner has been falsely implicated at the instance of the parents of the complainant. It has been submitted that while appearing as PW-2, the victim did not support the case of the prosecution and stated in so many words that no wrong act was committed by the petitioner with her. Reference in this regard has been made to the statement (Annexure P-6). He further submits that even the mother of the victim stepped into the witness box as PW-9 (Annexure P-7) and she too did not support the case of the prosecution and stated in so many words that no wrong act had been committed by the petitioner with her daughter. He submits that the petitioner is a young boy of 19 years of age and he is in custody since 24.01.2025. He submits that though the trial is at an advanced stage, long incarceration of the petitioner shall be prejudicial to his growth and interests.

4. Per contra, learned State counsel has opposed the prayer stating that 14 prosecution witnesses have already been examined out of 19 witnesses. He further submits that the phone of the petitioner has been sent for forensic examination and the report is still awaited. He submits that if the petitioner is released on bail, he may abscond. He also submits that case is now fixed for remaining evidence of the prosecution on 01.07.2025.

5. I have considered the submissions made by learned counsel for the parties.

6. Concededly, neither the petitioner nor her mother have supported the prosecution case. Still further, admittedly, the trial is almost at its final stage. However, it is also an admitted fact that the petitioner is a young boy of 19 years of age and is in custody since 24.01.2025. In case, certain incriminating evidence in his mobile phone comes against him, it shall



accordingly be dealt with. At this stage, this Court is of the considered opinion that he does not deserve to remain in custody any longer.

7. In view of the aforementioned facts and circumstances, without expressing any opinion on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the concerned trial Court/Chief Judicial Magistrate/Duty Magistrate, Bhiwani.

(VIKRAM AGGARWAL)
JUDGE

18.06.2025
Manoj Bhutani

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No