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

CRM-M-39180-2025
Date of Decision:- 10.09.2025

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....Petitioner

Vs.

STATE OF HARYANA AND ORS.

...Respondents

CORAM:- HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present:- Ms. Tamanna Banwala, Advocate for petitioner.

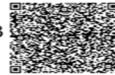
Mr. Viney Saini, AAG, Haryana.

Mr. Deep Singh Saini, Advocate for respondent No.2.

AMARJOT BHATTI, J. (Oral)

1. Petitioner has filed instant 2nd petition under Section 483 Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail in FIR No.123 dated 29.05.2024 under Section 365 IPC (deleted later-on) and Sections 363, 366 & 376 IPC (added later-on) and Section 4 of POCSO Act (added later-on) registered at Police Station Matlauda, District Panipat.

2. Facts of the case are, complainant mother of the victim gave her statement that her daughter i.e. victim 'N' aged about 17 years used to stay at home after passing her 9th class. On the intervening night of 28/29.05.2024 entire family went to sleep after dinner. Victim 'N' left the house at night time without informing anyone and this fact was noticed when she woke up

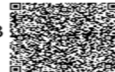


in the morning. With these facts, present FIR was registered under Section 365 of IPC.

3. During the course of investigation, victim was recovered on 30.05.2024. She was medically examined and her statement was recorded before the Magistrate on 31.05.2024 under Section 164 Cr.P.C. After completion of investigation, challan is presented under Sections 363, 366, 376 IPC and Section 4 of POCSO Act.

4. Learned counsel for petitioner argued that allegations levelled against petitioner are false. Initially missing report was lodged and thereafter offence under Sections 363, 366, 376 and Section 4 of POCSO Act were added. First regular bail application was declined by this Court in CRM-M-1398-2025 vide order dated 09.04.2025 (Annexure P-3). Now statements of victim and her mother have been recorded as Annexures P-4 and P-5. He is in custody since 31.05.2024. Therefore, on the ground of long custody, it is submitted that petitioner may be granted regular bail.

5. Bail application is opposed by learned counsel representing State of Haryana assisted by counsel for respondent No.2. It is submitted that there are specific serious allegations against the petitioner. Victim was recovered on 30.05.2024 from Karnal Post Sadar Bazaar. She was medically examined. Copy of her MLR is Annexure R-1 and copies of her statements recorded under Section 164 Cr.P.C./183 Bharatiya Nagarik Suraksha Sanhita, 2023 are Annexure R-2. Petitioner was arrested on 31.05.2024. As per birth certificate of the victim (Annexure R-4), her date of birth is 20.07.2007. At the time of alleged occurrence, she was 16 years 10 months and 9 days old.



Challan was presented and the chargesheet is already framed. Out of 18 prosecution witnesses, 8 prosecution witnesses have been examined. Considering the gravity of offence, petitioner is not entitled to be released on bail.

6. I have considered the arguments and have gone through the record. It is matter of record that petitioner was arrested on 31.05.2024. His first regular bail application has been declined on merits by this Court in CRM-M-1398-2025 vide order dated 09.04.2025 (Annexure P-3). As per facts mentioned in the status report, victim was minor at the time of alleged occurrence. At present, statement of victim has been recorded as PW1 and mother of the victim has been examined as PW2. Their statements are Annexures P-4 and P-5 respectively. Victim has levelled specific allegations against present petitioner. Considering the facts and the gravity of offence, I do not find a fit case for grant of regular bail and the same is, accordingly declined.

7. Pending miscellaneous application (s), if any, stands disposed of accordingly as well.

10.09.2025

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(AMARJOT BHATTI)
JUDGE

Whether speaking/reasoned:	Yes/No.
Whether reportable:	Yes/No