



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

CRM-M-44688-2025 (O&M)

Date of Decision: 22.08.2025

DANISH MOHD.

...Petitioner

V/S

STATE OF HARYANA

...Respondent

CORAM: HON'BLE MS. JUSTICE SHALINI SINGH NAGPAL

Present: Mr. Kapil Aggarwal, Advocate
for the petitioner.

Mr. Kshitij Bharti, Assistant Advocate General, Haryana.

SHALINI SINGH NAGPAL J. (Oral)

Petitioner seeks grant of regular bail in case arising out of FIR No. 61 dated 03.03.2025, under Section 6 of Protection of Children from Sexual Offences Act, 2012, registered at Police Station Mahesh Nagar, District Ambala.

As per version in the FIR, complainant-mother of the prosecutrix stated that her eldest daughter was 21 years old, followed by another daughter, who was 16 years of age and two other younger daughters. Her daughter, prosecutrix aged 16 years, told her that she did not have her menstrual period for last two months. On enquiry, she disclosed that one Danish Mohd., who lived in the neighbourhood was friendly with her for the last 4-5 months; that Danish called her to meet him last month and she had physical relations with him. She further stated that she suspected her daughter, the prosecutrix, was pregnant, from Danish son of Aabhid.

Learned counsel for the petitioner *inter alia* submits that after framing of charges, prosecution examined the prosecutrix as PW-1 and



her mother, the complainant as PW-2. However, both of them did not support prosecution case. He further submits that DNA report was yet to be received and chances of conviction in the case were bleak, in the absence of corroborative evidence. He thus prayed that petitioner be enlarged on regular bail.

Learned State counsel has placed on record custody certificate. He submitted that efforts were made to inform the prosecutrix, through her mother, but the calls were not answered.

Prayer for grant of bail has been opposed on the ground of serious nature of allegations relating to the child victim. It was pointed out that out of 15 witnesses, 03 had been examined. It was further submitted that prosecutrix PW-1 and her mother PW-2 had resiled from prosecution case only due to social stigma. Thus, prayer was made for dismissal of the application for bail.

There is no denying that the child victim and her mother i.e PW-1 and PW-2, respectively have not supported prosecution case. Out of total 15 prosecution witnesses, only 03 have been examined so far. As such, trial is likely to take some time to conclude. As per custody certificate, petitioner is in custody for the last 05 months and 17 days. There is now, no prospect of him influencing the witnesses. In the circumstances of the case, his further detention is not warranted.

Therefore, without expressing any opinion on merits of the case, the present petition is allowed. Petitioner-Danish Mohd. is ordered to be released on regular bail on his furnishing bail bonds and surety



bonds to the satisfaction of learned trial Court/Duty Magistrate.

22.08.2025
Ajay Goswami

(SHALINI SINGH NAGPAL)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>