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

CRM-M-63361-2024

Date of Decision:-30.07.2025

Abhishek

...Petitioner

Vs.

State of Haryana

...Respondent

CORAM:-HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present:- Mr. Chander Shekhar, Advocate for petitioner.

Mr. Sulinder Kumar, DAG, Haryana.

AMARJOT BHATTI, J.

1. Petitioner – Abhishek has filed petition under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail in FIR No.166 dated 10.07.2024, under Section 140(3) of BNS 2023 (Section 123 of BNS and Section 6 of POCSO Act were added later on), registered at Police Station Babain, District Kurukshetra (Annexure P-1).

2. As per facts of case, complainant 'L.D.' gave her statement that his daughter i.e. victim 'M' was born on 01.08.2007 and she was about 17 years of age. She was a student of 12th standard studying in Government High School, Dudhala Morthala (Kurukshetra). His daughter got missing on the night of 10.07.2024. When he woke up at 2:30 AM, he noticed that his daughter was not at home. They started searching for her but could not locate about her whereabouts. Her mobile phone was also switched off. With these allegations, present FIR was registered.

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During investigation, the parents produced the victim on 13.07.2024. Her statement was recorded under Section 183 of Bharatiya Nagarik Suraksha Sanhita, 2023 which is Annexure R-1. She was also produced before Child Welfare Committee, Kurukshetra. Her medical examination was got conducted. After completion of investigation, challan was presented in the Court.

3. Learned counsel for petitioner argued that petitioner was arrested in this case on 17.07.2024 and since then, he is behind the bars. Statement of victim was recorded as PW-4 (Annexure P-3) and statement of father of the victim was recorded as PW-5 (Annexure P-6) where they have not supported the prosecution case. Petitioner is ready to abide by the terms of bail order. Therefore, his regular bail petition may be allowed.

4. Bail petition is opposed by learned counsel representing State on the ground of gravity of offence. It is pointed out that at the time of alleged occurrence, victim was minor. During her statement recorded under Section 183 of BNSS (Annexure R-1), she has levelled specific allegations against the petitioner. Copy of her MLR is Annexure R-3. Disclosure statement of petitioner was also recorded which is Annexure R-4. Therefore, petitioner is not entitled to be released on regular bail.

5. I have considered the arguments and have gone through the record carefully. After completion of investigation, challan in this case was presented on 03.09.2024 and the case is pending for prosecution evidence. It is matter of record that statement of victim as PW-4 and statement of complainant as PW-5 have been recorded (Annexure P-3 and P-6 respectively) where both the witnesses did not support the allegations



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against the petitioner. Other prosecution witnesses are yet to be examined. Trial in this case may take long time. The evidence on record will be appreciated by learned trial Court at appropriate stage.

Therefore, without expressing my mind on merits of the case, regular bail petition filed by petitioner – Abhishek is allowed. He is ordered to be released on bail on furnishing bail bonds and surety bonds to the satisfaction of trial Court/Duty Judge concerned.

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

30.07.2025

Sunil Devi

(AMARJOT BHATTI)
JUDGE

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