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

CRM-M-65346-2024
Date of Decision:- 24.04.2025

KULDEEPPetitioner

Vs.

STATE OF PUNJAB ...Respondent

CORAM:- HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present:- Mr. Vijay Lath, Advocate and Mr. S.K. Raghuvanshi,
Advocate for the petitioner.

Mr. Japjot Singh, AAG, Punjab.

AMARJOT BHATTI, J. (Oral)

1. Petitioner has filed instant petition under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail in FIR No.51 dated 13.08.2024 (Annexure P-1) under Sections 137 (2) and 96 of Bharatiya Nyaya Sanhita, 2023 (Sections 64 and 75 of Bharatiya Nyaya Sanhita, 2023 and Section 6 of POCSO Act) registered at Police Station Naya Gaon, District SAS Nagar (Mohali), Punjab.

2. Facts of the case are that the complainant 'R' gave his statement that the victim 'M' was born on 02.03.2009. On 05.08.2024 at about 5.30 pm victim 'M' aged about 15/16 years left the house. She did not return home till 8 pm. Thereafter, he along with his wife started locating her



whereabouts at their own level. He came to know that victim 'M' was allured by one Kuldeep son of Lala Ram resident of village Bhaiyapur, Police Station Dhanari, District Sambhal, (UP) on the pretext of marriage. With these allegations, present FIR has been registered.

3. Learned counsel for the petitioner argued that there was delay of 8 days in lodging the report to the police. After completion of investigation, challan (Annexure P-2) has been presented. Victim was produced before the Investigating Officer by her aunt on 16.08.2024. Memo, in this regard, is Annexure P-3. She had refused for her medical examination. Present petitioner was arrested on 15.08.2024 since then he is behind the bars. Statement of victim is also recorded who has not supported the prosecution case. Petitioner is ready to abide by the terms of bail order. It is prayed that his regular bail application may be allowed.

4. Bail petition is opposed by learned counsel representing State. Detailed status report has been filed. It is pointed out that after completion of investigation, challan (Annexure P-2) was presented and the accused was chargesheeted on 24.10.2024 and at present case is fixed for prosecution evidence. At the time of alleged occurrence, victim was minor. There are specific allegations against petitioner. Considering the gravity of offence, he is not entitled to be released on bail.

5. I have considered the arguments and have gone through the record. Statement of the victim has been recorded as PW5. I have considered her entire statement which will be later-on considered by the trial Court at appropriate stage. At the time of alleged occurrence, victim was 15/16 years

of age. She was allegedly taken away by petitioner by giving allurement. Other prosecution witnesses are yet to be examined. Considering the age of the victim and the gravity of offence, I do not find a fit case for grant of regular bail and the same is, accordingly declined.

24.04.2025
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(AMARJOT BHATTI)
JUDGE

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