



CRM-M-6821-2026 (O&M)

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-6821-2026 (O&M)

Reserved on: 07.05.2026

Pronounced on: 12.05.2026

Uploaded on: 12.05.2026

MUNNA KUMAR

PETITIONER

VERSUS

STATE OF HARYANA AND ANOTHER

RESPONDENT

CORAM: HON'BLE MS. JUSTICE SHALINI SINGH NAGPAL

Argued by: Mr. Nischal Chetanya Manchanda, Advocate
for the petitioner.

Mr. Kshitij Bharti, AAG Haryana.

Shalini Singh Nagpal, J.

1. Petitioner seeks regular bail in FIR No.58 dated 29.01.2025 under Sections 12 of POCSO Act and 351(2) of Bharatiya Nyaya Sanhita (B.N.S.), 2023, Police Station Sector 10-A, Gurugram. Sections 6, 17 and 18 of the POCSO Act have been added in the FIR during investigation.

2. The FIR was registered on complaint of mother of the prosecutrix who reported that 'K' aged 15 years was a student of Class-X of Government School. Sajan *alias* Yuvraj followed her daughter on the way and back from school and even stood outside their house in the street. He came in a friend's car and played loud music outside the house on account of which 'K' was feeling harassed and was not able to concentrate on her studies. Legal action was prayed for.

3. Learned counsel for the petitioner submits that petitioner was in custody w.e.f. 19.05.2025. He was not named in the FIR nor any sexual assault was attributed to him. Four witnesses already stood examined during trial

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which was likely to take long to conclude and petitioner deserved to be enlarged on bail.

4. Learned State counsel has opposed the prayer for bail submitting that in her statement under Section 183 and 180 of Bharatiya Nyaya Sanhita (B.N.S.), 2023, petitioner was specifically named by the prosecutrix. He had been sexually harassing her and threatening the minor. Only examination-in-chief of the victim had been recorded and cross-examination was yet to be recorded. Custody certificate has been placed on record.

5. Respondent No.2 is served but has not contested the petition.

6. Petitioner is not named in the FIR. His name cropped up in statement of the prosecutrix under Section 183 BNS wherein prosecutrix alleged that Sajan *alias* Yuvraj had been troubling her every day. He came to the street and sounded horn from the car of his friend Munna, leaving her very disturbed. Subsequently, during the course of investigation, statement of the prosecutrix was recorded under Section 180 BNS. Therein also, she alleged that Sajan *alias* Yuvraj entered her house 5-6 times, molested her and tried to get physical. He also took her once to Delhi and molested her in the train. Thereafter, she stopped talking to him. Again Sajan *alias* Yuvraj started following her along with his friend Munna and used to threaten her.

7. Allegations of sexual assault have been levelled against co-accused, not against the petitioner. The role attributed to the petitioner is that he accompanied accused in his car to harass the prosecutrix on the way and back to school. Petitioner is in custody w.e.f. 19.05.2025 i.e. for more than 11 months. Though, there is one other case pending against him, mere pendency of the case cannot be a ground to decline bail. In the facts and circumstances of the case, considering the period of custody, but without commenting on merits, the petition is allowed.



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8. Petitioner is ordered to be released on regular bail, subject to his furnishing adequate bail and surety bonds to the satisfaction of Trial Court/Duty Magistrate. Pending miscellaneous applications, if any, also stand disposed of.

(SHALINI SINGH NAGPAL)
JUDGE

12.05.2026
HS.CHAUHAN

Whether Speaking/Reasoned :	Yes/No
Whether Reportable :	Yes/No