

2026:PHHC:070451



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

CRM-M-12788-2026 (O&M)

Reserved on: 05.05.2026

Pronounced on: 06.05.2026

Uploaded on: 06.05.2026

Rabbu Kumar

...Petitioner

V/S

State of Haryana and another

...Respondents

CORAM: HON'BLE MS. JUSTICE SHALINI SINGH NAGPAL

Present: Mr. Rajesh Nain, Advocate for the petitioner.

Mr. Kshitij Bharati, AAG, Haryana.

Mr. Nikhil Vats, Advocate for respondent No.2.

SHALINI SINGH NAGPAL, J.

CRM-19563-2026

The application under Section 528 of BNSS for placing on record Annexure P-4, statement/testimony of complainant and prosecutrix, filed by applicant/petitioner is allowed as prayed for. Annexure P-4 is taken on record subject to all just exceptions.

Main case

Petitioner seeks regular bail in case arising out of FIR No.345 dated 13.06.2025, under Sections 140(3) of BNS, Police Station sector 32-33, Karnal, District Karal, Haryana. Sections 137, 87 BNS and Section 6 of POCSO Act were added during investigation. This is the first petition seeking regular bail.



Father of the prosecutrix alleged that he married his daughter 'P' with Rabbu Kumar six years ago and they had two children. They all were living with him. Since the marriage, Rabbu Kumar had been harassing his daughter for which he apologized in the Panchayat. On 12.06.2025, Rabbu Kumar lured his second daughter 'N', a minor and fled with her at 9:00p.m. They could not find him and his phone was also switched off. On the complaint, case was registered and legal action was prayed for.

Learned counsel for the petitioner submits that complainant and the victims had both been examined during the trial and were declared hostile, not having supported prosecution case. Petitioner was in custody for last 08 months and 03 days. No external or internal injury was reflected in the medico legal report of the prosecutrix and no useful purpose would be served by detaining the petitioner behind bars.

Learned State counsel has filed the custody certificate along with status report by way of affidavit of Deputy Superintendent of Police, Hqrs., Karnal, which is taken on record. Learned State counsel has opposed the prayer for regular bail, submitting that at the time of incident, prosecutrix was 15 years and 02 months old. Four witnesses out of 16 were examined. The victim, her mother and



brother had turned hostile. However, considering the nature of allegations, petitioner did not deserve the concession of bail.

Heard.

Material witnesses of the case have been examined and thus, prosecution can have no apprehension that petitioner would obstruct the course of justice or tamper with the evidence. Antecedents of the petitioner are clean and there is no reason to apprehend that he would flee from the trial. Further detention of the petitioner who is in custody for the last 08 months and 13 days is not warranted.

Considering the period of incarceration and all relevant facts and circumstances of the case, but without meaning to express any opinion on merits, the petition is allowed. Petitioner- Rabbu Kumar, is ordered to be released on regular bail on his furnishing bail bonds and surety bonds to the satisfaction of trial Court/Duty Magistrate concerned.

(SHALINI SINGH NAGPAL)
JUDGE

Reserved on: 05.05.2026
Pronounced on: 06.05.2026
Kapil

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