



CRM-M-15063-2026 (O&M)

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

CRM-M-15063-2026 (O&M)

Reserved on: 22.04.2026

Pronounced on: 24.04.2026

Uploaded on: 24.04.2026

KARTIK**...Petitioner****VERSUS****STATE OF HARYANA AND ANOTHER****...Respondents****CORAM: HON'BLE MS. JUSTICE SHALINI SINGH NAGPAL**

Argued by: Mr. H.P.S. Ishar, Advocate
for the petitioner.

Mr. Kshitij Bharti, Assistant Advocate General, Haryana.

SHALINI SINGH NAGPAL, J. (ORAL)

1. Petitioner seeks regular bail in case arising out of FIR No. 0184 dated 17.06.2023 under Section 6 Protection of Children from Sexual Offences Act, 2012 and Sections 343, 363, 366-A, 450, 376(2)(n), 376(3), 506 Indian Penal Code, Police Station Uklana, District Hisar. This is the first petition for regular bail.

2. Complainant reported to the police that her daughter 'P', a student of Class 'IX', had run away on 16.06.2023 at about 4.00 PM and they suspected that Petitioner had lured her away. They had been searching for 'P' but in vain. During investigation of the case, prosecutrix was recovered on 29.06.2023 and her statement under Section 164 Cr.P.C. was recorded on 30.06.2023, whereafter offences under Sections 376 Indian Penal Code and 6 POCSO Act were invoked. Medical examination of the prosecutrix was conducted.



3. Learned counsel for the petitioner submits that it was a case of love affair. Prosecutrix, at the relevant time, was about 14 years of age and petitioner too was a minor, aged 16 years. Both fell in love and eloped. During the course of trial prosecutrix did not support prosecution case and considering the period of custody undergone by the petitioner, he deserved to be enlarged on regular bail.

4. Learned State counsel has filed status report by way of affidavit of Sumit Kumar, HPS, Deputy Superintendent of Police, Barwala, Hisar along with custody certificate and has opposed the prayer for regular bail submitting that in her statement recorded under Section 164 Cr.P.C., prosecutrix inculpated the petitioner. Subsequently, FSL report was received and human semen was detected on her *Salwar*, which matched with the DNA profile of the petitioner. Considering the gravity and seriousness of the allegations, petitioner did not deserve to be enlarged on regular bail.

5. Notice to the victim is served but she has not chosen to contest the petition.

6. After preliminary assessment under Section 15 of Juvenile Justice (Care and Protection of Children) Act 2015, learned Juvenile Justice Board opined that there was need for trial of the petitioner as an adult. The case was transferred to the Children's Court for trial. During the course of trial, statement of the prosecutrix has been recorded. She resiled from prosecution case. Whether the FSL report confirming DNA profile of the petitioner on *Salwar* of the prosecutrix would be sufficient to convict him, would be determined at the conclusion of trial. The fact remains that there is now no prospect of the



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petitioner influencing the main witness. Petitioner has clean antecedents and not stated to be involved in any other case. He has roots in the society. There is no reason to believe that he would abscond or flee from justice. Considering the long period of incarceration i.e. more than 02 years and 09 months, undergone by the petitioner, but without commenting on merits, he is ordered to be released on regular bail on furnishing requisite bail bonds and surety bonds to the satisfaction of learned Chief Judicial Magistrate/Illaq Magistrate concerned.

7. The petition is allowed.

(SHALINI SINGH NAGPAL)
JUDGE

April 24, 2026

Ajay Goswami

Whether speaking/reasoned

: Yes/No

Whether reportable

: Yes/No