

2026:PHHC:070435



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

CRM-M-15226-2026 (O&M)

Reserved on: 05.05.2026

Pronounced on: 06.05.2026

Uploaded on: 06.05.2026

Sohil Siddiqui @ Ashu

...Petitioner

V/S

State of Haryana and another

...Respondents

CORAM: HON'BLE MS. JUSTICE SHALINI SINGH NAGPAL

Present: Mr. Ankit Yadav, Advocate
for the petitioner.

Mr. Kshitij Bharati, AAG, Haryana

Mr. Mohan Singh Rana, Advocate for respondent No.2.

SHALINI SINGH NAGPAL, J.

1. Petitioner seeks regular bail in case arising out of FIR No.09 dated 13.01.2025 under Sections 6 and 17 of POCSO Act, Police Station Shivaji Nagar, District Gurugram. Offence under Section 65(1) of BNS was added in the FIR during investigation. This is the first petition for regular bail.

2. Case was registered on complaint of 'R' who stated that her elder daughter 'N' was 14 years old, a student of class 8th. On 12.01.2025 at 7:30 PM, she left home without informing them and returned on 13.01.2025, between 10:30 and 11:00 AM, on her own.

When she made inquiry, she tearfully told her that a boy named



Anshu, who lived in Har Nagar, Gurugram had taken her away on his motorcycle to Shriji Guest House on the pretext of birthday of Avinash where cake was cut. Anshu left after cutting the cake at night. Thereafter, Avinash forcibly did wrong act with her twice after which she returned home on her own. Legal action was prayed for.

3. Learned counsel for the petitioner submits that petitioner was behind bars for the last 01 year, 03 months and 17 days. Prosecutrix had been examined. The role attributed to the petitioner in the FIR was of enticing the prosecutrix, taking her to the hotel room, where the co-accused committed the wrong act, though, in her evidence, prosecutrix changed her version. Conclusion of trial was likely to take long as there were 22 prosecution witnesses. Considering the period of custody, petitioner was entitled to concession of bail.

4. Learned State counsel assisted by learned counsel for respondent No.2 has opposed the prayer for regular bail, submitting that during the course of trial, prosecutrix was examined and she levelled allegations against the petitioner, attracting the offence under Section 6 of POCSO Act.

5. Heard.

6. In her statement under Section 183 BNSS, prosecutrix stated that Anshu enticed her away on 12.01.2025 on the pretext of



celebrating birthday of his friend Avinash and took her to a guest house, where a room was booked and she was asked to check-in as Anamika. Thereafter, Anshu left. Avinash forced himself on her twice. After some time, Anshu returned and fell asleep. Avinash again forced himself on her. Since Anshu was to go out, he asked Avinash to book a rapido for her, whereafter Avinash took her to a tea stall and asked his friend to drop her home.

7. Petitioner has been involved with the aid of Section 17 of POCSO Act for having abetted the offence under Section 6 of POCSO Act. Considering the role attributed to the petitioner, the nature, gravity and seriousness of the offence, quantum of punishment/conviction may entail, the age of the minor prosecutrix who was only 14 years old and all relevant facts and circumstances of the case, it is not a fit case to enlarge the petitioner on regular bail despite the period of incarceration.

8. Dismissed.

(SHALINI SINGH NAGPAL)
JUDGE

Reserved on: 05.05.2026
Pronounced on: 06.05.2026
Kapil

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