



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

213

CRM-M-18801-2026 (O&M)

Date of Decision: 14.05.2026

ANKUSH

....Petitioner

VERSUS

STATE OF PUNJAB AND ANOTHER

....Respondents(s)

CORAM : HON'BLE MR. JUSTICE ALOK JAIN

Present : Ms. Babita, Advocate for the petitioner.

Mr. Amandeep Singh Samra, AAG, Punjab.

ALOK JAIN, J. (Oral)

1. The present petition has been filed praying for grant of regular bail to the petitioner in case FIR No.0015 dated 25.01.2026, under Section 96 and 137(2) of Bharatiya Nyaya Sanhita, 2023 (corresponding Section 366-A and 363 of IPC) (Section 94 of BNS and Section 6 of Protection of Children from Sexual Offences Act, 2012 added later on) registered at Police Station Nayagaon, District SAS Nagar (Mohali).

2. Learned counsel for the petitioner submits that in fact the prosecutrix is present in Court who has also submitted that she has attained the age of majority on 08.05.2026 and left her parental home at her own accord. The prosecutrix further stated that she is currently residing in the house of the brother of the petitioner.

3. Learned State counsel has also filed custody certificate, which is taken on record. As per which, petitioner is in custody for last 03 months 16 days.

4. Heard learned counsel for the parties at length and have gone through the record carefully.



5. Upon interaction, the prosecutrix submitted that she met the petitioner when he travelled to Chandigarh at his relative's house and thereafter the prosecutrix expressed her desire to live her life only with the petitioner. The prosecutrix is merely 10th pass and has no understanding about the nuances of the life. She does not even have the capacity to think of any adverse situation and moreover, the alleged marriage certificate and entry thereof apparently seem to be bogus. It is a matter of grave concern that young children are venturing out in such a manner. Society is undergoing a transformation where children like the prosecutrix seem to have a different notion of life.

6. Learned State counsel has submitted that the petitioner is also flight risk as he belongs to Uttar Pradesh and they allegedly got solemnized the marriage also in a very conspicuous manner. Hence, the petitioner is not entitled to concession of regular bail, at this stage.

7. Considering the fact that the prosecutrix is apparently demonstrating by her conduct that she is not going to support the prosecution case, further incarceration of the petitioner is not necessary and the petitioner is held entitled to the concession of regular bail.

8. In the light of the above and keeping in view the apprehension of flight risk, however, without commenting upon the merits of the case, the present petition stands allowed and the petitioner is ordered to be released on bail, if not required in any other case, on furnishing bail bonds and surety bonds to the satisfaction of the trial Court/Duty Magistrate, concerned. However, in order to safeguard the life and liberty of the prosecutrix and also considering the flight risk, as the petitioner belongs to Uttar Pradesh, the petitioner is directed to be released on ***heavy surety*** by the learned trial Court.

The petitioner shall, however, be released on the following conditions:



- i. The petitioner shall declare his ordinary place of residence and the mobile number used by him.
- ii. The petitioner will not switch off his mobile and in case of any technical glitch, he has to give an alternate number, which will be available in his absence.
- iii. The petitioner will mark his presence before the SHO concerned, after once in every week and in case the SHO refuses to mark his presence, he is permitted to make an application before the Illaqa Magistrate, concerned.
- iv. The petitioner will not leave the country without the prior permission of the Court, for which he will submit the copy of his passport also. However, in case the petitioner does not possess a passport, then he shall file an undertaking to the said effect before being released.

The petitioner shall abide by the terms and conditions as imposed in addition to Section 483 of BNSS, 2023.

9. However, nothing stated above shall be construed as a final expression of opinion on the merits of the case and this order shall not be considered as parity qua any other co-accused in any manner whatsoever.

10. It is further made clear that, in case, the petitioner is found involved in any such activity once again, the State is at liberty to promptly move an appropriate application for cancellation of bail detailing out the circumstances and violation of conditions of bail.

11. Pending application(s), if any, shall stand disposed of.

(ALOK JAIN)
JUDGE

14.05.2026
Deepak Patwal

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| 1. | Whether speaking/reasoned | Yes/No |
| 2. | Whether reportable | Yes/No |