



CRM-M-47785-2025

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

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Date of decision : 09.02.2026

Jagdish

..... Petitioner

V/S

State of Haryana

..... Respondent

CORAM : HON'BLE MS. JUSTICE AMARJOT BHATTI

Present: Mr. Sanchit Punia, Advocate for petitioner.

Mr. Ayuwan Singh, AAG, Haryana.

Mr. Narender Kaajla, Advocate for complainant.

AMARJOT BHATTI J. (ORAL)

1. Petitioner – Jagdish has filed second petition under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail in FIR No.153 dated 18.03.2024, registered under Sections 452, 376(3), 506 of IPC and Section 6 of POCSO Act, 2012, at Police Station Azad Nagar Hisar, District Hisar.

2. As per the facts of the case, complainant 'S' gave her statement that she is a married lady having a daughter and a son. The victim 'S' is about 13 ½ years of age, studying in 6th class. Since she was working as a sweeper in the school, she had gone for her job. Her husband and her son were also not present at home. His daughter 'S' was alone in the house. Jagdish was known to the family and was on visiting terms with them. On 18.03.2024, when she returned home and heard the noise in the house, she called her daughter.



Jagdish came out of the room holding his pant and on seeing her, he fled away from there. She went inside the room and made inquiry. Her daughter was crying and disclosed that he was trying to do wrongful act with her. She further stated that even on 14.03.2024, he had done wrongful act with her at their house. She was threatened not to disclose to anybody. With these allegations, the matter was reported to the police.

3. Learned counsel for petitioner argued that allegations are false and without any basis. He referred to the MLR of victim (Annexure P-2) and stated that there was no evidence of sexual exploitation or child abuse. As per Regional Forensic Science Laboratory report (Annexure P-3), semen could not be detected. In the statement of victim recorded under Section 164 Cr.P.C. (Annexure P-4) and the statement of victim recorded before the court (Annexure P-5), there are material contradictions. Challan is presented and petitioner is behind the bars since 18.03.2024. Trial in this case may take long time. He is ready to abide by the terms of bail order. Therefore, his regular bail petition may be allowed.

4. Bail petition is opposed by learned counsel representing State. Status report has been filed. As per the record collected during investigation, the age of the victim is 13 years 6 months. Copy of birth certificate showing date of birth of the victim as 28.08.2010 is Annexure R-1. Copy of MLR of the victim is Annexure R-2. The statement of victim recorded under Section 164 Cr.P.C. is Annexure R-4. Regional Forensic Science Laboratory, report is Annexure R-5. It is pointed out that the statement of victim is already recorded, Annexure P-6, where she has fully supported the prosecution case. There are

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serious allegations against the petitioner. Therefore, he is not entitled to be released on regular bail.

5. I have considered the arguments and have gone through the record carefully. The victim has levelled specific serious allegations against the petitioner. The victim is about 13 ½ years of age, whereas the age of petitioner in the bail petition is mentioned as 53 years. The investigation is completed and challan is presented on 31.05.2024. Charges were framed on 17.08.2024. Out of 18 prosecution witnesses, 03 prosecution witnesses are examined including the victim, who fully supported the prosecution case.

Considering the aforesaid factual position and gravity of offence, I do not find a fit case for grant of regular bail and the same is accordingly declined.

6. Pending miscellaneous application(s), if any, stand disposed of accordingly.

(AMARJOT BHATTI)
JUDGE

09.02.2026.*Sunil Devi*

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No