

**CRM-M-48708-2025 (O&M)**

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

CRM-M-48708-2025 (O&M)**Date of Decision:-06.02.2026****Mukesh Kumar**

...Petitioner

Versus

State of Haryana

...Respondent

CORAM:-HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present: Mr. K.D.S. Hooda, Advocate and
Mr. Yashwir Hooda, Advocate
for the petitioner.

Mr. Ayuwan Singh, AAG, Haryana.

AMARJOT BHATTI, J.(Oral)**CRM-4839-2026**

This is an application u/s 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 for placing on record certified copy of order dated 06.05.2025 as Annexure P-7.

For the reasons stated in the application, same is allowed.
Accompanying document as Annexure P-7 is taken on record.

Application is disposed of accordingly.

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1. Petitioner – Mukesh Kumar has filed present second petition under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail in FIR No.527 dated 02.08.2023, under Section 363, 366-A of IPC (Section 6 of POCSO Act 2012 and Section 376(2)(n) of IPC were added later on), registered at Police Station City Sirsa, District Sirsa

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(Annexure P-1).

2. As per facts of the case, complainant 'A K' gave his statement that his daughter 'D' alias 'M', aged 15 ½ years was studying in 10th class. On 01.08.2023 at about 3:00 PM, she went to the shop to buy some articles but did not return home. The entire family kept on searching for her but could not locate her whereabouts. His daughter has been enticed away by giving some allurements. With these allegations, present FIR has been registered.

During the course of investigation, the prosecutrix was recovered. She was produced before the learned Magistrate and her statement was recorded under Section 164 Cr.P.C. She was medically examined. Accused was arrested in this case on 13.08.2023 and on completion of investigation, challan was presented in the court.

3. Learned counsel for petitioner argued that he is falsely implicated in this case on account of some misunderstanding. The trial in this case is going on. During the trial, statements of the witnesses are recorded who have not supported the prosecution case. The statement of victim recorded as PW-1, statement of father 'A K' as PW-2, statement of mother 'G B' as PW-3 are Annexure P-2 to P-4 where they did not support the allegations. The report of Forensic Science Laboratory, Madhuban is Annexure P-5. Without considering the aforesaid facts, the application filed by the petitioner was declined by learned Additional Sessions Judge, Fast Track Special Court, Sirsa vide order dated 07.08.2025 which is Annexure P-6. Trial in this case may take more time. Petitioner 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. It



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is pointed out that at the time of alleged occurrence, the victim was minor. Present petitioner is specifically named. He was arrested in this case on 11.08.2023. Challan is already presented and the prosecution evidence is being recorded. It is pointed out that till date, 08 prosecution witnesses have been examined. Considering the gravity of offence, regular bail petition is opposed.

5. I have considered the arguments and have gone through the record carefully. First regular bail petition filed by the petitioner bearing CRM-M No.628 of 2025 was dismissed on 06.05.2025. Copy of the order is Annexure P-7. The challan was presented on 03.11.2023. Charges were framed on 06.12.2023 and till date, 8 prosecution witnesses are examined. Out of 6 prosecution witnesses, the victim as PW-1, parents of the victim as PW-2 and 3, did not support the allegations. Their statements recorded in the court are annexed as Annexure P-2 to P-4. The report of Forensic Science Laboratory, Madhuban, is annexed as Annexure P-5. Trial in this case may take some time. The evidence will be appreciated by the trial court at appropriate stage. The conclusion of trial may take some time.

In the light of the aforesaid factual position, without going on the merits of the case, regular bail petition filed by petitioner – Mukesh Kumar is allowed. He is ordered to be released on bail on furnishing bail bonds and surety bonds to the satisfaction of trial Court/Duty Judge concerned.

6. Pending miscellaneous application(s), if any, in both cases, stand disposed of accordingly as well.

06.02.2026

Sunil Devi

(AMARJOT BHATTI)
JUDGEWhether speaking/reasoned:
Whether reportable:Yes/No
Yes/No