

CRM-M-54408-2025

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**105IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

(115)

CRM-M-54408-2025
Date of Decision:- 19.03.2026

Omkar @ Okar @ Omkar Kumar

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE ALOK JAIN

Present: Mr. Gaurav Datta, Advocate for the petitioner.

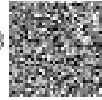
Mr. Amandeep Singh Samra, AAG, Punjab.

ALOK JAIN, J. (Oral)

1. The present petition has been filed seeking grant of regular bail to the petitioner in case FIR No. 11 dated 06.02.2024 under Sections 363, 366 and 376 of Indian Penal Code and Sections 4 and 6 of POCSO Act, registered at Women Police Station District SAS Nagar, Mohali (Annexure P-1).

2. Custody certificate dated 18.03.2026 has been filed by learned State counsel in Court today, which is taken on record, subject to all just exceptions.

3. Learned State Counsel has pointed out that the trial is at the fag end and the matter is listed for final arguments on 20.03.2026. However, learned counsel for the petitioner submits that the matter is listed for defence evidence and argument.



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4. At this stage, learned counsel for the petitioner has raised a specific issue that the age of the victim is wrongly recorded as 12 years and the testimonies of the parties are contrary to the same.

5. Heard learned counsel for the parties at length.

6. Vide order dated 03.02.2026, this Court had already directed that it will be open to the prosecution to take appropriate steps for conducting an ossification test so that the issue as to whether the victim is a minor or a major may be conclusively determined.

7. At this stage, learned counsel for the petitioner prays for withdrawal of the present petition with liberty to lead defence evidence and seek ossification test of the victim, if so required, in accordance with law.

8. In view of the above and considering the fact that the trial is at the stage of defence evidence as well as final arguments, therefore, without commenting anything on the merits of the case, the present petition is dismissed as withdrawn at this stage, with liberty to the petitioner as well, to move an appropriate application before the learned Trial Court for conducting the ossification test of the victim, if so required. In case, any application is filed, the same shall be looked into by the Court of competent jurisdiction in accordance with law without being influenced by the present order.

(ALOK JAIN)
JUDGE

19.03.2026*Parul*

Whether speaking/reasoned:-
Whether Reportable:-

Yes/No
Yes/No