



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

(135)

CRM-M-70287-2025 (O&M)
Date of Decision: 23.2.2026

Sachin

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MS. JUSTICE KIRTI SINGH

Present: Mr. Anmol Partap Singh Mann, Advocate and
Mr. Navjot Singh Sidhu, Advocate
for the petitioner.

Mr. Anmol Malik, DAG, Haryana.

KIRTI SINGH, J. (ORAL)

1. The jurisdiction of this Court under Section 483 of BNSS, 2023 has been invoked for grant of regular bail to the petitioner in case FIR No. 57 dated 09.6.2025 under Section 127(6) of BNS (later on substituted with Sections 96, 137(2), 351(3), 64(1) of BNS and Section 4 of the POCSO Act), registered at Police Station Mohammadpur Ahir, District Nuh.

2. The translated version of the FIR is reproduced below:-

“To the SHO Police Station Mohammadpur Ahir, District Nuh. Sir, I Dharambeer son of Bannu, am a resident of Village Bhango, Police Station Mohammadpur Ahir, District Nuh and I do private job. I have a total of 4 children 3 daughters and 1 son. My elder daughter Tanisa is married. My younger daughter Sangeeta is also married. The third daughter xxxxxx has recently passed Class XII. Today's night 8-9/06/2025, at around 2:00 a.m., my wife Bimla woke up from sleep. My wife saw that the main door of our house was open. After that, when the house was checked, my daughter xxxxxx was not found on her cot. Thereafter, we kept searching for my daughter on our own. Till now, no clue regarding my daughter xxxxxx has been



found. My daughter xxxxxx left from my house during the night on her own, without informing us. In this matter, till now we do not have suspicion on anyone. Now, after taking a decision in the presence of my family and relatives, I am giving this complaint. My daughter xxxxxx's missing report may be registered and the girl be searched for.”

3. Thereafter, investigation was carried out. On 09.6.2025, the victim was recovered. Her statement under Section 183 of BNSS was recorded on 10.6.2025. The counselling of the victim was got conducted and she was also medico-legally examined.

4. Learned counsel for the petitioner *inter alia* submits that the petitioner has been falsely implicated in this case. It is submitted that after the registration of the present FIR, the prosecutrix was recovered on 09.6.2025 and her statement was recorded by the police wherein she stated that since her parents wanted to forcibly marry her and were not permitting to pursue higher studies, therefore, she had gone to the house of her paternal aunt in Gurugram on her own free will. However, she could not find the house of her paternal aunt, therefore she returned the next morning. She has also stated therein that neither any wrong act has been committed upon her, nor has any person enticed or misled her. It is also submitted that the prosecutrix has reiterated the said version in her statement recorded under Section 183 of BNSS. The prosecutrix has also stated therein that she did not wish to accompany her parents, and on her request, her custody was handed over to her paternal aunt Kanta. However, after 09 days therefrom, the prosecutrix was again taken to the police station by the complainant, where they both made statements levelling false allegations against the petitioner, which are in complete contradiction with the earlier version of the prosecutrix. It is further submitted that there is an unexplained delay of 09



days in lodging the present FIR. Furthermore, the medical evidence also does not substantiate the allegations so levelled. He further submits that the petitioner has undergone an actual custody of 07 months and 21 days and there is no other criminal case registered against him.

5. *Per contra*, learned State counsel has vehemently opposed the submissions made by the learned counsel for the petitioner. He states that the petitioner was actively involved in the commission of the offence. He has filed custody certificate in Court today and the same is taken on record. As per custody certificate, the petitioner has undergone an actual custody of 07 months and 21 days. The learned State counsel, on instructions from the investigating officer concerned, submits that in the present case, charges were framed on 02.9.2025 and out of total 23 prosecution witnesses, 16 have been examined till date. He submits that in view of the serious allegations against the petitioner, he is not entitled to the concession of regular bail.

6. Heard the rival submissions made by learned counsel for the parties.

7. Admittedly, the charges were framed on 02.9.2025 and out of total 23 prosecution witnesses, 16 have been examined till date. The petitioner has undergone actual custody of 07 months and 21 days, and there is no other criminal case registered against him. The material witnesses already stand examined. The veracity of the allegations levelled against the petitioner shall be established during the course of the trial. No useful purpose shall be served by further detention of the accused-petitioner. Keeping the petitioner in further detention without the prospect of the trial being concluded in the near future, would be violative of his rights under Article 21 of the Constitution of India including the right to speedy trial, and



the judgment of Apex Court in “*Dataram Singh vs. State of Uttar Pradesh and another*”, (2018) 3 SCC 22.

8. Without commenting anything on the merits of the case, lest it may prejudice the trial, the present petition is allowed and the petitioner is ordered to be released on regular bail on his furnishing adequate bail/surety bonds to the satisfaction of the concerned learned trial Court/Duty Magistrate. The petitioner shall also abide by the following conditions:-

- (i) The petitioner will not tamper with the evidence during the trial.
- (ii) The petitioner will not pressurize/intimidate the prosecution witness(s).
- (iii) The petitioner will appear before the trial Court on the date fixed, unless personal presence is exempted.
- (iv) The petitioner shall not commit an offence similar to the offence of which he is accused of, or for commission of which he is suspected.
- (v) The petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

9. In case of breach of any of the above conditions, the prosecution shall be at liberty to move an application for cancellation of bail before this Court.

10. However, nothing stated above shall be construed as a final expression of opinion on the merits of the case and the trial Court would proceed independently of the observations made in the present case which



are only for the purpose of adjudicating the present bail petition.

11. Pending miscellaneous application(s), if any, also stands disposed of.

(KIRTI SINGH)
JUDGE

February 23, 2026
Gurpreet Singh

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