



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

202

CRM-M-29173-2025
Decided on:23.06.2025

Mohit

. . . Petitioner

Versus

State of Haryana

. . . Respondent

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

PRESENT: Mr. Anmol Jindal, Advocate
for the petitioner.

Mr. Kapil Bansal, DAG, Haryana.

VIKAS BAHL, J. (Oral)

1. This is the first petition filed under Section 483 of the Bharatiya Nagrik Suraksha Sanhita, 2023 for grant of regular bail to the petitioner in case FIR No. 277 dated 09.09.2024 under Sections 137, 87 of the BNS and Section 6 of the POCSO Act registered at Police Station Uchana, District Jind.

2. Learned counsel for the petitioner has submitted that the petitioner had married the daughter of the complainant on 10.09.2024 and has referred to the marriage certificate (Annexure P-3). It is further submitted that in the said certificate, it has been specifically stated that the date of birth of the daughter of the complainant is 01.01.2006. It is submitted that on 02.10.2024, the statement of the daughter of the complainant was recorded under Section 183 of BNSS before the



Judicial Magistrate, 1st Class, Narwana and in the said statement, she had reiterated the fact that her date of birth is 01.01.2006 and that she had left the house of her parents with her own wish and voluntarily and had also called the present petitioner and had performed the marriage and she wishes to stay with the present petitioner and that the petitioner and his family members are in danger from her family. It is submitted that the petitioner along with the daughter of the complainant had jointly filed the petition i.e. CRWP-9301-2024 for protection and in the said petition, they had specifically raised an averment that they have married out of their free will and the said petition was disposed of by the Coordinate Bench of this Court vide order dated 24.09.2024 (Annexure P-6). It is further submitted that the present petitioner is in custody since 03.10.2024 and there are as many as 24 witnesses out of whom only 4 witnesses have been examined and thus, the trial is likely to take time. It is further submitted that the petitioner is not involved in any other case and has prayed for regular bail.

3. Learned State counsel, on the other hand, has opposed the present application for regular bail and has submitted that there are allegations against the present petitioner of having abducted the daughter of the complainant and he has committed a heinous crime.

4. Keeping in view the abovesaid facts and circumstances, moreso, the fact that the petitioner is in custody since 03.10.2024 and out of 24 witnesses, only 4 witnesses have been examined, and thus, the trial is



likely to take time and also the fact that the petitioner is not involved in any other criminal case and the arguments made on behalf of the petitioner raise debatable issue which would be finally adjudicated at the time of the trial, the present petition for regular bail is allowed and the petitioner is ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate and subject to him not being required in any other case.

5. However, it is made clear that in case, any act is done by the petitioner to threaten the complainant or any of the witnesses, then it would be open to the State to move an application for cancellation of bail granted to the petitioner.

6. Nothing stated above shall be construed as an expression of opinion on the merits of the case and the trial would proceed independently of the observations made in the present case which are only for the purpose of adjudicating the present bail application.

(VIKAS BAHL)
JUDGE

June 23, 2025

Mehak

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No