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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-14423-2025
Date of Decision:- 03.05.2025

SALMAN ...Petitioner

Vs.

STATE OF HARYANA ...Respondent

CORAM:- HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present:- Mr. Sanjiv Kumar Aggarwal, Advocate and Mr. Ojas Bansal,
Advocate for the petitioner.

Ms. Nidhi Garg, AAG, Haryana.

AMARJOT BHATTI, J. (Oral)

1. Petitioner has filed instant petition under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail in FIR No.560 dated 28.08.2024 (Annexure P-1) under Sections 115 (2), 351 (3), 140 (3), 65 (1) of Bharatiya Nyaya Sanhita, 2023 and Section 4 of POCSO Act registered at Police Station Chandani Bagh, Panipat, Haryana.

2. Facts of the case are, complainant 'G' gave her statement that she is mother of three children. Victim 'M' aged about 15 years was found crying in the house. She enquired the reason and on this, victim disclosed that she was talking to a boy namely Salman for the last 6 months. They used



to talk on their way to school and home. Sometimes, he used to call her. They used to talk like normal friends. On 28.08.2024 Salman forcibly took her to his gift shop taken on rent and committed rape with her. When she had refused, he gave beating to her. With these allegations, present FIR has been registered.

3. Counsel for petitioner argued that allegations levelled in FIR are false and frivolous. He was arrested on 29.08.2024. After framing of chargesheet, statements of mother of victim PW4, aunt of victim PW5, victim as PW6 and Ashu PW7 have been examined. Their statements are Annexures P-2 to P-5 where they have not supported the prosecution version. His bail application was declined by the trial Court. He is ready to abide by the terms and conditions of bail order. Therefore, his regular bail application may be allowed.

4. Status report filed. It is pointed out by learned State counsel that after completion of investigation, challan was presented against petitioner on 02.11.2024. Charges were framed on 29.11.2024 and out of 22 prosecution witnesses 11 witnesses have been examined. Petitioner is specifically named and specific role is attributed to him. His custody certificate is Annexure R-5.

5. I have considered the aforesaid factual position. Testimonies of witnesses are annexed as Annexure P-2 to P-5. Statement of victim as PW-6 is Annexure P-4 where she claimed that she was raped by one unknown person with muffled face. Testimonies of witnesses will be considered at the relevant time by the trial Court. Material witnesses have been examined.



Therefore, without expressing my mind on the merits of the case, regular bail application filed by petitioner is allowed and he is ordered to be released on bail to the satisfaction of trial Court/Duty Judge, concerned.

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

(AMARJOT BHATTI)
JUDGE

03.05.2025

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