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

CRM-M-32664-2025
Date of Decision:- 15.09.2025

CHAHAT KUMAR ALIAS BHINDI ...Petitioner

Vs.

STATE OF PUNJAB ...Respondent

CORAM:- HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present:- Mr. Munish Puri, Advocate for petitioner.
Ms. Manjot Kaur, AAG, Punjab.

AMARJOT BHATTI, J. (Oral)

1. Petitioner – Chahat Kumar @ Bhindi has filed instant petition under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail in FIR No.19 dated 12.02.2025 under Sections 67, 87, 137 (2) of Bharatiya Nyaya Sanhita, 2023 and Section 6 of POCSO Act, registered at Police Station Sujampur, District Pathankot.

2. As per facts of the case, complainant 'MD' mother of the victim gave her statement that on 10.02.2025 his daughter/victim 'TD' aged about 16 years left the house for going to school at about 8.30 am and did not return home. Complainant suspected Chahat for enticing away her daughter with the intention to marry her.



3. As per status report, victim was recovered and produced before the Magistrate and her statement was recorded under Section 183 Bharatiya Nagarik Suraksha Sanhita, 2023 on 13.02.2025. Accused was arrested in this case. On completion of investigation, challan was presented in the Court.

4. Learned counsel for petitioner argued that allegations levelled against him are false. Prosecutrix did not level any allegation when her statement was recorded under Section 183 of Bharatiya Nagarik Suraksha Sanhita, 2023 which is Annexure P-2. Date of birth of the prosecutrix is also disputed and it is claimed that at the time of lodging of FIR, she was 19 years old and her date of birth is mentioned as 07.09.2005. Regular bail application filed by petitioner was declined vide order dated 09.04.2025 (Annexure P-3) passed by learned Judge, Special Court, Pathankot without proper appreciation of the facts of the case. Statement of all material witnesses have been recorded i.e. victim as PW1, mother of the victim as PW2 and brother of victim as PW-3 (Annexures P-4 to P-6). Petitioner is behind the bars since 12.02.2025. He is ready to abide by the terms of bail order. Therefore, his regular bail petition may be allowed.

5. Status report filed. It is pointed out that there are specific serious allegations against the petitioner. At the time of alleged offence, victim was a minor girl. Investigation was completed. Challan is already presented on 17.03.2025 and charges are also framed on 05.04.2025 and now prosecution evidence is being recorded. Considering the gravity of offence, petitioner is not entitled to be released on regular bail.



6. I have considered the arguments and have gone through the record. Present petitioner is facing trial under the provisions of BNS as well as POCSO Act. Age of the victim at the time of commission of offence is matter of trial. On the recovery of victim, her statement was recorded under Section 183 Bharatiya Nagarik Suraksha Sanhita, 2023 on 13.02.2025 (Annexure P-2) where she did not level allegations against the present petitioner. When her statement is recorded as PW1 (Annexure P-4), she stuck to her stand taken by her earlier. At present, statements of other material witnesses i.e. mother as PW2 and brother as PW3 have been recorded (Annexures P-5 and P-6). Petitioner is also a young boy of 19 years of age who is behind the bars since 12.02.2025. Without going on the merits of the case, regular bail petition filed by petitioner is allowed and he is ordered to be released on bail on furnishing bail bonds and surety bonds to the satisfaction of trial Court/Duty Judge, concerned. He is also directed to give an undertaking that he will not contact the victim directly or indirectly in any manner.

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

(AMARJOT BHATTI)
JUDGE

15.09.2025

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