



222

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

CRM-M-2334-2025

Date of decision: 01.05.2025

AJAY

....Petitioner

Versus

STATE OF HARYANA

....Respondent

CORAM: HON'BLE MRS. JUSTICE **AMARJOT BHATTI**

Present: Mr. Baljeet Beniwal, Advocate and  
Ms. Pooja Chaudhary, Advocate  
Mr. Kartik, Advocate, Advocate  
for the petitioner.

Ms. Aditi Girdhar, AAG, Haryana.

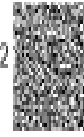
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**AMARJOT BHATTI, J.**

Petitioner-Ajay has filed present petition under Section 483 of BNSS, 2023, for grant of regular bail in FIR No.181, dated 25.08.2021, under Sections 363 and 366-A of IPC and Section 6 of POCSO Act, 2012 registered at Police Station Tigaon, District Faridabad.

2. As per facts of the case, complainant-M gave her statement that his daughter i.e. victim-B age about 15 years left the house on 24.08.2021 without informing any one. He could not locate her whereabouts. With these allegations, FIR was registered initially under Section 346 IPC and after recovery of victim offence under Sections 363 and 366-A of IPC and Section 6 of POCSO Act were added.

3. Learned counsel for petitioner argued that allegations levelled against the present petitioner are false. The victim was recovered and her statement was recovered and her statement was recorded before Judicial Magistrate, Faridabad under Section 164 Cr.P.C. (Annexure P-1) where she



did not level any allegation against the petitioner regarding kidnapping or forcible rape. In fact, they got married and stayed together. Learned counsel for petitioner referred to the statement of alleged victim recorded as PW-1 (Annexure P-2) where she reiterated her version and was partly declared hostile. Petitioner was arrested in this case on 01.09.2022 and till date he is behind the bars. He is ready to abide by the terms of bail order. Therefore, his regular bail may be allowed.

4. Status report filed. It is pointed out that on completion of investigation challan was presented on 31.10.2022. Thereafter, charges were framed on 12.01.2023. Now the case is fixed for prosecution evidence. It is confirmed that the victim resiled from her statement. However, there is a report of FSL/DNA report (Annexure R-4). At the time of alleged occurrence the victim was minor.

5. I have considered the aforesaid factual position. Petitioner is behind the bars for the last more than two and half years. After the presentation of challan till date only the statement of prosecutrix has been recorded who was partly declared hostile. Trial in this case is likely to take some time. Petitioner cannot kept behind the bars for indefinite period. The statement of prosecutrix and other witnesses will be considered by the trial Court at appropriate stage. Therefore, without going on merits of the case, regular bail application filed by the 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

**(AMARJOT BHATTI)**  
**JUDGE**

01.05.2025  
monika

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