



CRM-M-16211-2025

-1-

217

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

CRM-M-16211-2025

Date of Decision:- 24.07.2025

PRINCE KUMAR

...Petitioner

Vs.

STATE OF HARYANA

...Respondent

CORAM:- HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present:- Mr. G.V.S. Behl, Advocate for the petitioner.

Mr. Viney Saini, AAG, Haryana.

Mr. Sanjiv Kumar Yadav, Advocate for the complainant.

AMARJOT BHATTI, J.

1. Petitioner has filed instant petition under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail in FIR No.8 dated 12.03.2024 under Sections 12, 17 and 6 of POCSO Act, 2012 and Section 506 of IPC (Section 75 of Juvenile Justice Act and Sections 109, 457, 354 and 376 (2) (n) IPC, 1860 added later-on in challan) registered at Police Station Women, District Ambala (Annexure P-1).

2. As per facts of the case, complainant 'AK' filed written complaint against Harwinder Kaur, Avtar Singh @ Peter and Jarnail Kaur. Jarnail Kaur is the mother of Harwinder Kaur accused No.1. Aforesaid named accused persons were having a gang and they were indulging girls in



flesh trade. Harwinder Kaur accused No.1 allured the victim 'GK' for indulging into said immoral activities. However, victim refused. Finally Harwinder Kaur accused No.1 finding an opportunity supported accused No.2 Avtar @ Peter to commit forcible rape with her grand-daughter. They also clicked obscene photographs and prepared video. Victim was blackmailed and she was raped by Peter @ Avtar Singh accused No.2 repeatedly. In December, 2023 complainant had to go Amritsar to pay obeisance and in her absence, victim was taken to Hotel in Ambala where she was forcibly raped by Suresh Rana and Rohit Rana. Victim resisted but they told her that Harwinder Kaur and Peter @ Avtar Singh had received Rs.10,000/- from them. Her grand-daughter used to remain silent and she was frightened. She insisted the victim who finally disclosed about the entire occurrence on 06.03.2024. Aforesaid accused persons were also trying to indulge her another grand-daughter in this flesh trade. With these allegations, present FIR has been registered.

3. Learned counsel for petitioner argued that Prince Kumar was arrested on 03.05.2024. All allegations levelled against the petitioner are false. In the initial complaint dated 07.03.2024 (Annexure P-2), present petitioner was not named. Statement of victim under Section 164 Cr.P.C. is (Annexure P-4) where again allegations were levelled against Suresh Rana as well as against other co-accused. Statement of the victim has been recorded as PW1 (Annexure P-8). Trial in this case may take long time. Petitioner is ready to abide by the terms of bail order. Therefore, his regular bail petition may be allowed.

4. Bail petition is opposed by learned counsel representing State.



Detailed status report has been filed. Along with the status report, birth certificate of the victim 'GK' is placed on record (Annexure R-1) according to which her date of birth is 17.10.2007 and the birth certificate of other grand-daughter is placed on record as Annexure R-2, who is born on 13.08.2011. MLR of the victim is Annexure R-4 according to which at the time of medical examination of the minor victim 'GK', her pregnancy test report came out to be positive. She was admitted in the Civil Hospital, Ambala and was finally discharged on 18.03.2024. Victim as PW1 has supported the allegations of sexual exploitation who was minor. Therefore, considering the gravity of offence, petitioner is not entitled to be released on bail.

5. I have considered the arguments and have gone through the record. Present regular bail petition has been filed by Prince Kumar. Initially when the statement of the victim was recorded under Section 164 Cr.P.C. she had disclosed that she was raped by Rohit Rana and Suresh Rana in a hotel and they had claimed to have given Rs.10,000/- to Harwinder Kaur and Peter @ Avtar Singh. As per status report, during investigation, it was clarified that said Suresh Rana and Rohit Rana were in-fact Prince and Hemant. Therefore, the victim did not know the real name of the petitioner. As per record, challan is already presented and the prosecution evidence is being recorded. Statement of victim is also recorded as PW1 (Annexure P-8). She was cross-examined at length. She has given the details how she was sexually exploited time and again. Allegations are serious in nature. Therefore, considering the facts and circumstances of the case, I do not find a fit case for grant of regular bail and the same is, accordingly, declined.



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

(AMARJOT BHATTI)
JUDGE

24.07.2025

snd

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