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

**CRM-M-26078-2025**  
Date of Decision:- 08.10.2025

**Pawan Kumar** ...Petitioner

Vs.

**State of Haryana** ...Respondent

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

Present:- Mr. Anmol Sharma, Advocate  
for the petitioner.

Mr. Ayuwan Singh, AAG, Haryana.

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**AMARJOT BHATTI, J.(Oral)**

1. Petitioner – Pawan Kumar has filed petition under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail in FIR No. 50 dated 02.02.2024 under Section 363, 366, 376(2)(n), 376(3) of IPC and Section 6 of POCSO Act, 2012 registered at Police Station Samalkha, District Panipat.
2. As per the facts of case, complainant ‘RS’ filed written complaint that he is father of two children. On 02.02.2024 at about 09:30 am, his daughter ‘S’ i.e. victim had gone from the house without informing anyone. He prayed for search of his daughter.

During investigation, complainant suffered supplementary statement on 10.03.2024 and named Pawan Kumar who enticed away his minor daughter with intention to marry her. Victim was recovered on



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18.04.2024 from the custody of petitioner while she was kept at Kumharwala Colony, Nagaur, Rajasthan. Victim was sent to Shelter Home. Accused was formally arrested on 18.04.2024. Investigation was completed and finally challan was presented in Court.

3.            Learned counsel for petitioner argued that allegations levelled against Pawan Kumar are false. Victim had willfully accompanied petitioner/accused and they wanted to marry each other. There was no kidnaping or forcible rape. Petitioner was arrested on 18.04.2024 and since then he is behind the bars. His regular bail application was declined by learned Additional Sessions Judge/Fast Track Court (POCSO), Panipat vide order dated 04.11.2024 (Annexure P-3). Victim did not level any allegation when her statement was recorded under Section 164 Cr.P.C. (Annexure P-2). During pendency of trial, victim expired. Other material witnesses have been examined. Petitioner will abide by terms of bail order. It is submitted that his regular bail petition may be allowed.

4.            Detailed status report has been filed confirming the allegations. It is pointed out that at the time of said occurrence, victim was minor. As per her Birth Certificate (Annexure R-6), she was born on 15.04.2010. She was recovered from Nagaur, Rajasthan on 18.04.2024 and was produced before the Magistrate for recording of her statement under Section 164 Cr.P.C. (Annexure P-2/R-4). Copy of her MLR is Annexure R-3. At the time of recovery of victim, she was pregnant and her pregnancy was terminated on 30.04.2024 as per orders of Child Welfare Committee, Panipat dated 22.04.2024. FSL report is Annexure R-5. After presentation of challan, statements of prosecution witnesses are being recorded. Statements of



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father of victim as PW-1 and mother of victim as PW-2 are Annexure R-7. It is confirmed in supplementary status report that victim had expired. Copy of her Death Certificate is Annexure R-1 and her treatment record is also annexed.

5. I have considered the arguments and have gone through the record carefully. At the time of alleged offence, victim was minor. Her statement recorded under Section 164 Cr.P.C. dated 19.04.2024 is Annexure P-2/R-4. Victim went missing on 02.02.2024 and was recovered on 18.04.2024. Pregnancy of victim was terminated as per rules. On completion of investigation, challan is presented on 15.07.2024 and charges were framed on 17.08.2024. As referred above, statement of complainant/father and statement of mother have been recorded in Court, which are Annexure R-7. Testimony of victim could not be recorded in Court as she expired on 09.09.2024. Other prosecution witnesses are yet to be examined. Evidence on record will be appreciated by the trial Court at appropriate stage. Therefore, without expressing my mind on merits of case, regular bail petition filed by petitioner Pawan Kumar is allowed. He is ordered to be released on bail on furnishing bail bonds and surety bonds to the satisfaction of trial Court/Duty Judge concerned.

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

08.10.2025  
*lalit*

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

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