



CRM-M-15082-2025

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

CRM-M-15082-2025

Date of Decision:- 10.09.2025

VIJAY

...Petitioner

Vs.

STATE OF HARYANA

...Respondent

CORAM:- HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present:- Ms. Kusum Raj, Advocate for petitioner.
Mr. Viney Saini, AAG, Haryana.

AMARJOT BHATTI, J. (Oral)

1. Petitioner has filed instant 2nd petition under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail in FIR No.04 dated 14.01.2023 under Sections 363, 366, 376 (3), 506 of IPC, 1860 read with Section 4 of POCSO Act, 2012 (Annexure P-1), registered at Women Police Station, Assandh, District Karnal, Haryana.

2. As per facts of case, prosecutrix 'S' @ 'J' gave her statement that she was residing with her maternal aunt whereas she is permanent resident of village Pangala, District Karnal. About 6 months ago, her grandmother expired and she was present in the house at her village. Many



guests had arrived in their house. Their neighbour Vijay took her to his uncle's house and developed physical relations with her. She narrated this incident to her family members and due to shame, matter was compromised. She came to reside in the house of her aunt. She and Vijay were talking to each other. He threatened her that in case she did not develop physical relations with him, he would defame her. He again developed physical relations with her against her wishes at village Pangala, District Karnal. With these allegations, present FIR has been registered.

3. Learned counsel for petitioner argued that Vijay was arrested on 03.02.2023 and till date he is behind the bars. Version put forward by prosecutrix is not trustworthy. His regular bail application was declined by learned Additional Sessions Judge, Fast Track Special Court, Karnal vide order dated 18.01.2024 (Annexure P-5). Trial in this case may take long time. Statement of victim is already recorded as PW1 (Annexure P-3). He will abide by terms of bail order. Therefore, his regular bail application may be allowed.

4. Detailed status report has been filed confirming the facts stated in the FIR. Petitioner was arrested on 03.02.2023. On the completion of investigation, challan was presented on 20.03.2023. Chargesheet was framed on 13.07.2023. At the time of filing of status report, four prosecution witnesses including victim were already recorded. It is pointed out that at the time of said occurrence, prosecutrix was 14 years 3 months old. Considering the gravity of offence, petitioner is not entitled to be released



on bail.

5. I have considered the arguments. First regular bail application filed by petitioner bearing CRM-M-7195-2024 was dismissed as withdrawn on 20.12.2024. This is the second regular bail application filed by the petitioner. As per the facts narrated in the present case, present petitioner was in relation with victim. At the time of filing of bail application, his age is mentioned as 27 years whereas victim was about 14 years and 3 months old at the time of said occurrence. Copy of birth certificate is Annexure R-2 according to which her date of birth is mentioned as 14.06.2008. Victim has narrated different incidents when she was raped against her wishes by putting her under threat. Statement of victim is recorded as PW1 (Annexure P-3) wherein she supported her version. Therefore, considering the aforesaid factual position and the gravity of offence, I do not find a fit case for grant of regular bail and same is, accordingly, declined. Since, petitioner is behind bars from 03.02.2023, therefore, trial Court is directed to expedite the trial.

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

(AMARJOT BHATTI)
JUDGE

10.09.2025

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