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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-2841-2025

Date of Decision:- 15.07.2025

MUKESH ALIAS GAURAV

....Petitioner

Vs.

STATE OF HARYANA

...Respondent

CORAM:- HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present:- Mr. Viransh Kumar Ghawari, Advocate for petitioner.

Mr. Sulinder Kumar, DAG, Haryana.

AMARJOT BHATTI, J. (Oral)

1. Petitioner has filed instant petition under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail in FIR No.146 dated 29.08.2024, under Sections 10, 12, 17 of POCSO Act and Sections 74, 78, 333, 351 (2) and 61 of Bharatiya Nagarik Suraksha Sanhita, 2023 (Annexure P-1) registered at Police Station Jhansa, District Kurukshetra.

2. As per facts of the case, prosecutrix gave her statement that accused Shanti Devi is her grandmother in relation and accused Mukesh @ Gaurav is son of paternal aunt. Her father expired 12 years ago. Her mother started working as a Peon in a private school and took care of the family. Mukesh @ Gaurav was keeping evil eye on her and indulged in obscene acts for the last about one year. Her grandmother in relation Shanti Devi



supported and instigated Mukesh @ Gaurav. Prosecutrix also narrated one incident of 02.08.2024 when present petitioner tried to commit wrongful act with her. Because of the conduct of accused person, she suffered mental agony. She was also treated by a Doctor and thereafter her family came to know mental and physical atrocities faced by her. With these allegations, present FIR has been registered.

3. Learned counsel for petitioner argued that all allegations levelled against him are false. Statement of the victim has been recorded in the Court as PW2 (Annexure P-2) and her statement recorded under Section 183 Bharatiya Nagarik Suraksha Sanhita, 2023 is Annexure P-3. Complainant wanted to marry the petitioner. They used to talk to each other on mobile phone. Subsequently, she levelled false allegations and lodged the present FIR. He is ready to abide by the terms of bail order. Therefore, his regular bail application may be allowed.

4. Bail application is opposed by learned counsel representing State. Detailed status report has been filed confirming the allegations. As per the status report, on completion of investigation, challan was presented on 28.10.2024. Charges were framed on 22.11.2024 and two prosecution witnesses were already examined. Considering the nature of allegations, petitioner is not entitled to be released on regular bail.

5. I have considered the arguments and have gone through the record. As referred above, trial in this case is going on. Petitioner was arrested on 30.08.2024. At present, statement of the victim is already



recorded as PW2 (Annexure P-2) where she has supported the prosecution case. Other prosecution witnesses are yet to be examined. He cannot be kept behind the bars for indefinite time period. Therefore, without expressing my mind on the 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 as well.

(AMARJOT BHATTI)
JUDGE

15.07.2025
snd

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