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

CRM-M-15712-2025

Date of Decision:- 18.08.2025

SANJEEV KUMAR

...Petitioner

Vs.

STATE OF HARYANA

...Respondent

CORAM:- HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present:- Mr. Shubham Aggarwal, Advocate and Mr. Suksham Aggarwal, Advocate for the petitioner.

Mr. Viney Saini, AAG, 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.561 dated 04.09.2024 under Sections 376 (3) of Indian Penal Code and Section 6 of POCSO Act registered at Police Station Krishna Gate, City-Thanesar, District Kurukshetra, Haryana.
2. As per facts of the case, complainant 'RR' gave her statement that her husband expired in the year 2020. She is having two children. Her son is residing in her parental house at Gandhi Nagar, Kurukshetra and her daughter i.e. victim 'P' aged about 15 years was residing with her. On 02.09.2024 her daughter informed that she was not well and she took her to Radaur Garg Hospital for ultrasound. After ultrasound it was revealed that



she was 6 months pregnant. She made inquiry about her pregnancy who disclosed that when she had gone to the house of her maternal uncle on 17.03.2024 on the birthday of granddaughter Babita and after the celebration at night time when she was sleeping, her maternal uncle Sanjeev Kumar came on the roof top and committed wrongful act with her. With these allegations, present FIR has been registered.

3. Learned counsel for petitioner argued that allegations levelled against him are false. Challan in this case was presented on 25.10.2024 and the evidence of prosecution is being recorded. During trial, victim as PW2 and complainant as PW3 did not support the prosecution case. Their statements are Annexures P-3 and P-4. In-fact, the victim was in relationship with the boy namely Anil and his friend. Petitioner was arrested in this case on 15.09.2024 and till date he is behind the bars. Even the DNA report submitted today by learned counsel representing State does not support the prosecution case. He is ready to abide by the terms of bail order. Therefore, his regular bail petition may be allowed.

4. Learned counsel representing State has already filed detailed status report. It is confirmed that on completion of investigation, challan is already presented on 25.10.2024. Charges were framed on 08.11.2024 and at present, out of 26 prosecution witnesses, 8 witnesses have been examined. Learned counsel representing State has placed on record the report of Forensic Science Laboratory, Madhuban, Karnal regarding DNA profiling favouring the version of petitioner.



5. I have considered the aforesaid factual position. On completion of investigation, trial in this case is going on. It is matter of record that both the complainant and the victim did not support the prosecution case and the allegations against the petitioner. DNA report is also received. Entire evidence is to be appreciated by the trial Court at appropriate stage. No purpose would be served by keeping the petitioner behind the bars. Therefore, without expressing my mind on the merits of the case, regular bail petition filed by the petitioner is allowed and 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.

(AMARJOT BHATTI)
JUDGE

18.08.2025

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