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

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Date of Decision:- 17.07.2025

**Rakesh**

...Petitioner

Vs.

**State of Haryana and another**

...Respondents

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

Present:- Mr. Himanshu Joshi, Advocate and  
Ms. Rishita Neev, Advocate  
for the petitioner.

Mr. Sulinder Kumar, DAG, Haryana.

Mr. Manpreet Singh Dua, Advocate  
for respondent No. 2.

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

1. Petitioner – Rakesh has filed petition under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail in FIR No. 71 dated 04.05.2024 under Section 363, 366-A, 376 of IPC registered at Police Station Jui Kalan, District Bhiwani (Section 376-D of IPC and Section 6 of POCSO Act added later-on).
2. Facts of the case are, on 04.05.2024, complainant ‘M’ lodged written report that her daughter i.e. victim ‘S’ left the house on 02.05.2024 at 05:00 pm and did not return home. At night time, a call was received



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from a boy that her daughter was with him. With these allegations, present FIR was registered.

As per status report, during investigation victim was recovered on 03.08.2024. Her statement was recorded under Section 164 Cr.P.C. Offence under Section 376 of IPC and Section 6 of POCSO Act were added. Later on, offence under Section 376-D of IPC was also added. On completion of investigation, challan was presented in Court.

3. Learned counsel representing petitioner argued that all allegations levelled against him are false. He is not named by the said victim when her statement was recorded under Section 164 Cr.P.C. (Annexure P-2). Learned counsel further referred to statements of complainant-mother as PW-7 (Annexure P-3) and victim as PW-6 (Annexure P-4), where they did not level any allegation against petitioner nor he was identified. Victim had refused for her medical examination. Petitioner was arrested in this case on 20.09.2024 and since then he is behind the bars. He is falsely implicated in this case. He will abide by the terms and conditions of bail order. Therefore, his regular bail petition may be allowed.

4. Detailed status report has been filed. Learned counsel representing State pointed out that there are specific serious allegations in the case. As per status report, present petitioner allowed co-accused Aman and victim to stay in hotel knowing fully well that victim was minor. Investigation was completed and challan was presented in Court on 02.12.2024. Charges were framed under Section 363, 366-A, 376, 376-D of



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IPC and Section 6 of POCSO Act on 07.01.2025. At present, 22 prosecution witnesses have already been examined. 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 carefully. Trial in this case is under progress. As referred in status report, allegations of rape are not against present petitioner. In-fact, he was running a hotel where co-accused alongwith victim had allegedly stayed. Complainant-mother PW-7 and victim PW-6 in their respective statements (Annexures P-3 and P-4) did not level allegations against present petitioner nor he was identified. Petitioner is behind the bars since 20.09.2024. Trial in this case may take some time. Therefore, without expressing my mind on the merits, regular bail petition filed by petitioner – Rakesh 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.

17.07.2025

*lalit*

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

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