



CRA-S-560-2025

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IN THE HIGH COURT OF PUNJAB & HARYANA  
AT CHANDIGARH

CRA-S-560-2025

Date of decision: 15.07.2025

**Bijender****....Petitioner****Versus****State of Haryana and another****....Respondents****CORAM: HON'BLE MRS. JUSTICE AMARJOT BHATTI**

Present: Ms. Jashandeep Kaur, Advocate for  
Ms. Simmi Saini, Advocate  
for the appellant.

Ms. Aditi Girdhar, AAG, Haryana.

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**AMARJOT BHATTI, J.**

Appellant has filed appeal against impugned order dated 17.12.2024 vide which regular bail application filed by the appellant in FIR No.49, dated 20.04.2023, under Section 376 IPC and Section 6 of POCSO Act and Section 3(2)(v) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 registered at Police Station Women, Assandh, District Karnal, has been dismissed by learned Additional Sessions Judge, Fast Track, Special Court (POCSO), Karnal.

2. Brief facts of the case are, complainant 'Rxx' gave her statement that she is mother of a son and a daughter. Her daughter victim 'A' aged about 15 years was learning stitching work in the village. She used to bring butter milk (Lassi) from the house of Bijender. She even used to play in his house. She came to know that her minor daughter was allured by Bejinder and he committed rape upon her. He brought his daughter to Shree Shyam Hospital where it was disclosed that she was pregnant. All the facts were disclosed by her daughter and with these allegations, present



FIR has been registered.

3. Learned counsel for appellant argued that all allegations levelled against the appellant are false and without any basis. The facts of the case were not rightly considered by learned Learned Additional Sessions Judge, Fast Track, Special Court (POCSO), Karnal and his regular bail application was wrongly declined vide order dated 17.12.2024. The statement of complainant has been recorded as PW-2 (Annexure A-2) and statement of father of the victim has been recorded as PW-3 (Annexure A-3) where they have not levelled any allegation against the appellant. Even the victim used to visit jail to meet the appellant. The record received from Jail Authorities in this regard is (Annexure A-2). DNA report is still awaited. He cannot be kept behind the bars for indefinite time period. Appellant is in custody since 01.06.2023, therefore impugned order dated 17.12.2024 may kindly be set aside and he may be granted regular bail.

4. Bail application is opposed by learned counsel representing State. Detailed status report has been filed along with statement of the victim is recorded under Section 164 Cr.P.C. (Annexure R-1) where she has levelled specific serious allegations of rape against the appellant. It is pointed out that as per record the victim is minor. Her caste certificate is Annexure R-2. The victim was found to be pregnant. On 05.05.2023, as per the directions of Child Welfare Committee, Karnal, pregnancy of the victim was terminated from Kalpana Chawla Government Medical College, Karnal. FSLs reports are Annexures R-4 and R-5. Challan was presented and charge sheet is framed as per order dated 16.01.2024. Out of 22 prosecution witnesses, 03 witnesses have been examined. The victim as



PW-1 supported the prosecution case. Considering the gravity of offence, appellant is not entitled to be released on regular bail.

5. I have considered the arguments and have gone through the record carefully. Victim in this case is minor. She has levelled allegations of rape against the appellant. As a result, the victim became pregnant and as referred in the status report her pregnancy was terminated during investigation. Statement of victim recorded as PW-1 (Annexure A-1) where she has levelled specific allegations against the present appellant regarding rape as well as her pregnancy. During examination, she further claimed that she was taken to the Hospital by Bijender on his motorcycle. The allegations are specific and serious in nature. The testimony of prosecution witnesses will be considered at appropriate stage by the trial Court.

6. Considering the facts and circumstances of the case, I do not find any reason to interfere in the impugned order dated 17.12.2024 vide which regular bail application filed by the appellant was declined. Thus, impugned order is accordingly upheld and appeal preferred by the appellant is accordingly declined.

7. Pending miscellaneous application(s), if any, stand disposed of accordingly.

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

15.07.2025  
monika

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