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

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Date of Decision:-05.04.2025

Tinku alias Rinku

...Petitioner

Vs.

State of Haryana

...Respondent

CORAM:-HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present:- Mr. Chiranjeev Singh Saini, Advocate
for the petitioner.

Ms. Nidhi Garg, AAG, Haryana.

AMARJOT BHATTI, J.

1. The petitioner –Tinku alias Rinku has filed this petition under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail in FIR No.301 dated 29.05.2024, under Section 346 of IPC, 1860 (Section 376(2)(n) of IPC and Sections 4(2) and 6 of POCSO Act, 2012 were added later on), registered at Police Station Hansi City, District Hansi (Haryana).

2. As per the facts of case, complainant gave his statement to the police that on 27.05.2024 his daughter i.e. the victim aged about 17 years left the house at about 1:00/1:30 PM without informing anyone and did not return home. He tried to search his daughter in the neighbourhood but failed to locate her. Thereafter, the matter was reported to the police.



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As per the status report, investigation was carried out by ASI Saroj. The victim was recovered from Nawanshahar (Punjab) on 20.06.2024. On 21.06.2024 counselling of the victim was done by Child Welfare Committee, Hissar and Legal Aid Counsel, Hansi. Her statement was recorded under Section 164 Cr.P.C. and she was medically examined. Accused was arrested on 21.06.2024. After completion of all formalities, challan is already presented in the Court.

3. Learned counsel for petitioner argued that petitioner is not named in the FIR nor there are allegations of rape. The victim was not recovered in the company of petitioner. In fact, victim has changed her version before the police. He was arrested in this case on 21.06.2024 and he has already joined the investigation. He does not have criminal antecedents. It is submitted that his regular bail petition may be allowed.

4. Bail petition is opposed by learned counsel representing State. Detailed status report has been filed. It is confirmed that on the recovery of victim and arrest of the accused, investigation was carried out. Report of Regional Forensic Science Laboratory is also received. On completion of investigation challan is presented on 17.09.2024. The date fixed for consideration on charge is 22.04.2025. There are specific serious allegations against the petitioner. At the time of alleged occurrence, the victim was minor. Therefore, 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. Petitioner was arrested in this case on 21.06.2024 and he

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has joined the investigation. Till date, he is behind the bars. It cannot be ignored that victim in this case is minor. She got missing on 27.05.2024 from Tehsil Hansi, District Hisar and was recovered on 20.06.2024 from Nawanshahar (Punjab). Trial is at initial stage. Charge-sheet is yet to be framed and thereafter, the statement of the victim is to be recorded. There is every chance that in case petitioner is released on bail, he may try to contact the victim or to influence her.

In the light of this, I do not find it appropriate to release the petitioner on bail and his regular bail petition is accordingly declined.

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

05.04.2025

*Sunil Devi***(AMARJOT BHATTI)
JUDGE**Whether speaking/reasoned:
Whether reportable:Yes/No
Yes/No