



**HIGH COURT OF JUDICATURE FOR RAJASTHAN
AT JODHPUR**



S.B. Criminal Miscellaneous 1st Bail Application No. 8013/2026

CNR: RJHC010581462026

URN: CRLMB / 17440U / 2026

Azaad Lamba @ Chhotu S/o Babulal, Aged About 32 Years, R/o -
Hansiyawas, P.s- Siddhmukh, District- Churu (At Present Lodged
In District Jail Churu)

-----Petitioner

Versus

1. State Of Rajasthan, Through PP
2. Victim through her father Shri Bhanwar Lal, R/o Village
Hansiyawas, Tehsil- Rajgarh, District Churu.

-----Respondents

For Petitioner(s)	:	Ms. Kirti Pareek
For Respondent(s)	:	Mr. Narendra Gehlot, PP assisted by Mr. Omprakash Choudhary

HON'BLE MR. JUSTICE ASHOK KUMAR JAIN

Order

06/07/2026

1. The present bail application under Section 483 of BNSS is filed by the applicant-accused **Azaad Lamba @ Chhotu S/o Babulal** seeking bail in respect of a criminal case registered as FIR No.70/2025 dated 01.05.2025 registered at P.S. Sidhmukh, District - Churu, for the offence under Section 137(2) of BNS.
2. Learned counsel for the applicant submits that the applicant has been falsely implicated in the matter and the investigation against him is complete and he is no more required in investigation. She further submits that there are no chance of fleeing of applicant accused from the



jurisdiction of this Hon'ble Court. She also submits that the applicant undertakes not to repeat offence and cooperate with trial, which will take time.

3. Learned counsel for the applicant submits that after elopement of victim on 16.04.2025 her father has lodged a report on 01.05.2025 under Section 137(2) of BNS. She also submitted that no allegation of rape is made in the report lodged by father of victim. She also submitted that the victim was recovered on 10.08.2025 from Nangloi Delhi and the statement of victim were recorded under Section 180 and 183 of BNSS. She also submitted that the date of birth of victim was 22.08.2007 and she was nearly 18 years of age on the date of incident. She also submitted that present petitioner was arrested on 10.08.2025 and since then he is in custody. She also submitted that after the investigation police has filed a charge-sheet against the petitioner. She further submitted that the statement of victim has been recorded as PW-1 and her admission clearly indicate that she has denied her earlier statement made before the CWC. She also referred the entire material and submitted that the victim was a consensual party in the entire incident and petitioner is entitled for bail.
4. Aforesaid contentions were opposed by learned Public Prosecutor.
5. Heard learned counsel for the petitioner-accused and learned Public Prosecutor. Perused the material placed on record by both the parties. Complainant has been informed about filing of present bail application.



6. On basis of a missing report dated 01.05.2025 about elopement of minor victim from 16.04.2025 on enticement by present petitioner FIR No.70/2025 was registered at Police Station Sidhmukh, District - Churu under Section 137(2) of BNS. During investigation the victim was recovered on 10.08.2025 from Nangloi Delhi. The statement of victim were recorded under Section 180 and 183 of BNSS. Present petitioner was arrested and a charge-sheet is filed against him.
7. The date of birth of victim as claimed by prosecution is 22.08.2007 and on date of incident was between 16 to 18 years. The statement of victim were recorded as PW-1 before the trial Court after framing of charge. We have considered her cross-examination wherein she denied statement Ex.-D-2 made before the CWC. The victim remained in the company of present petitioner from 16.04.2025 till her recovery on 10.08.2025.
8. Upon hearing the arguments and perusing the record, we have found that the applicant-accused is no more required in the investigation and he is in custody for quite some time. The further proceedings will take its own time, therefore, looking to entirety of facts and circumstances of the case and without expressing any opinion on merits of the case, the Court deems it appropriate to grant bail to the applicant-accused.
9. Thus, the instant bail application filed on behalf of applicant-accused **Azaad Lamba @ Chhotu S/o Babulal**, is hereby allowed and the applicant-accused is ordered to be released



on bail upon furnishing a personal bond of ₹50,000/- with two sureties of like amount to the satisfaction of the Trial Court with the following conditions:-

- (i) The applicant-accused shall not tamper with evidence or influence the witness in any manner.
- (ii) The applicant-accused shall not indulge in any criminal activity and shall not repeat any criminal offence punishable under the Law.
- (iii) The applicant-accused shall attend the hearing of the Trial Court on the date fixed by the Trial court or as and when asked to appear before the Trial Court.
- (iv) In case of any violation of above conditions, the bail granted to the applicant-accused shall be liable to be canceled.

10. The Registry is directed to send a copy of this order to the Trial Court through E-mail.

(ASHOK KUMAR JAIN),J