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

CRM-M-1585-2025

Date of Decision:- 13.05.2025

GULFAN

....Petitioner

Vs.

STATE OF HARYANA

...Respondent

CORAM:- HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present:- Mr. Shikhar Goel, Advocate for petitioner

Ms. Aditi Girdhar, AAG, Haryana.

AMARJOT BHATTI, J. (Oral)

1. Petitioner has filed instant petition under Section 483 Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail in FIR No.348 dated 19.04.2024 under Sections 346, 354, 376, 506 and 34 of IPC registered at Police Station Sector-58, Faridabad, District Faridabad.
2. As per facts of case, a complaint was filed by father of prosecutrix alleging that he was driver by profession and was father of 8 children. Prosecutrix, her daughter aged about 18 years 3 months left the house to purchase grocery on 18.04.2024 at about 6 pm and did not return home. When complainant reached home, he was disclosed about this fact by his wife. They tried to search her at their own level but could not find her. Thereafter, matter was reported to the police and initially FIR was registered



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under Section 346 IPC.

Investigation was started. On 21.04.2024 complainant produced victim before the police and her statement was recorded and thereafter offence under Sections 354, 376, 506 and 34 IPC were added.

3. Learned counsel for the petitioner argued that he was arrested on 23.04.2024 and since then he is behind the bars. There are no allegations of rape against the present petitioner. Allegations of rape were levelled against Rahul who has been granted bail by this Court in CRM-M-11226-2025 vide order dated 04.04.2025 (Annexure P-16). Petitioner has already joined the investigation. After completion of entire investigation, challan report has been presented which is Annexure P-7. Alleged victim had given affidavit levelling no allegations against petitioner (Annexure P-8). During trial statements of all material witnesses have been examined i.e. PW1 Victim, PW-2 father of the victim, PW-3 mother of the victim (Annexures P-11 to P-13) where they have not supported the prosecution case. Petitioner is ready to abide by the terms and conditions of bail order. Therefore, his regular bail application may be allowed.

4. Status report has been filed confirming the facts narrated in the FIR. It is confirmed that challan is already presented on 06.06.2024 and charges were framed on 05.11.2024. Out of 17 prosecution witnesses, 3 PWs have been examined i.e. the victim and her parents and their statements are also annexed as Annexures R-3 to R-5 along with the status report. Custody certificate of present petitioner is Annexure R-6. However, considering the gravity of offence, regular bail application filed by petitioner



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is opposed.

5. I have considered the aforesaid factual position. Trial in this case is going on. As referred above, statements of all material witnesses have been recorded where they have not supported the prosecution case. However, learned trial Court will consider the evidence recorded during trial at appropriate stage. Co-accused has been granted bail by this Court vide order dated 04.04.2025 (Annexure P-16). Petitioner is also ready to abide by the terms and conditions of bail order. Therefore, without going on the merits of the case, regular bail application filed by petitioner is allowed and he is ordered to be released on bail to the satisfaction of trial Court/Duty Judge, concerned.

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

(AMARJOT BHATTI)
JUDGE

13.05.2025

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