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**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH****CRM-M-2719 of 2025 (O&M)****Date of decision : January 23, 2025****Ankush****..... Petitioner****Versus****State of Haryana****..... Respondent****CORAM : HON'BLE MR. JUSTICE JASGURPREET SINGH
PURI*********

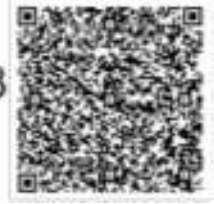
Present :- Mr. Ajay Vijarania, Advocate
for the petitioner.

Mr. Vishal Kashyap, DAG., Haryana.

*********JASGURPREET SINGH PURI, J (Oral)**

1. The present petition has been filed under Section 483 of B.N.S.S, 2023 for grant of regular bail in FIR No. 41 dated 01.10.2024 registered under Section 64 (1), 351 (3) of BNS, 2023 and Section 66-E of Information Technology Act (now after investigation Sections 64 (1) BNS, 2023 was deleted and Section 69 of BNS, 2023 was added) at Police Station Women Fatehabad, Haryana.

2. Learned counsel for the petitioner has submitted that allegations against the petitioner are with regard to establishing physical relationship by taking the prosecutrix to the hotel on the pretext of marriage. It is submitted that the petitioner is in custody for 2 months and 3 days and he has submitted that prosecutrix is of 28 years of age

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and the petitioner was less than 21 years of age at the time of alleged occurrence and submitted that therefore, no offence was made out in the present case. He has further submitted that considering the facts and circumstances of the case, the petitioner is entitled for grant of regular bail.

3. On the other hand, learned State counsel has opposed the grant of bail to the petitioner on the ground that the allegations against the petitioner are that he had taken the prosecutrix to the hotel regarding which during the investigation some material was also found regarding entry in the hotel register and there was an allegation against the petitioner with regard to misuse of some photographs of the prosecutrix which were recorded in the mobile of the petitioner. It is further submitted that neither the prosecutrix has been examined till date nor any report has been received from the FSL and at this stage petitioner is not entitled for grant of regular bail.

4. Mr. Gurdeep Singh, Advocate has appeared on behalf of the complainant and he has also opposed the grant of bail to the petitioner on the same ground which has been taken by learned State counsel.

5. I have heard learned counsel for the parties.

6. It is a case where the custody of the petitioner is 2 months and 3 days but investigation of the case has been completed and challan has been presented. The allegations against the petitioner were pertaining to establishing physical relationship on the false pretext of marriage and as per learned State counsel some material



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was also found regarding entry in the hotel register and also with regard to the allegations of misusing of the photographs of the prosecutrix in the mobile of the petitioner which has been sent to the FSL but no report has been received till date.

7. This Court after hearing learned counsel for the parties, the stage of the case, and the alleged role of the petitioner, is of the considered opinion that considering the aforesaid gravity and seriousness of the offence and allegations levelled against the petitioner, the petitioner does not deserve the concession of bail.

8. Consequently, finding no merit in the present petition, the present petition is dismissed accordingly.

9. However, anything observed hereinabove shall not be treated as an expression of opinion on merits of the case and is only meant for the purpose of decision of present petition.

January 23, 2025 (JASGURPREET SINGH PURI)
archana JUDGE

Whether speaking/reasoned	Yes
Whether Reportable :	No