

**CRA-S-654-2025****-1-****202****IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH****CRA-S-654-2025**

Date of Decision:- 03.05.2025

Gaurav Bhargow

....Appellant

Vs.

State of Haryana and Anr.

...Respondents

CORAM:- HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present:- Mr. Nitin Bhanwala, Advocate for the appellant (through V.C.).

Ms. Ambika Sood, Addl. A.G., Haryana.

Mr. Sanchit Punia, Advocate for respondent No.2.

AMARJOT BHATTI, J.

1. Appellant Gaurav Bhargow has filed present appeal against impugned order dated 19.02.2025 passed by learned Additional Sessions Judge, Hisar vide which his anticipatory bail application in FIR No.12 dated 01.02.2025(Annexure P-1), under Section 313, 342, 506, 376(2)(n), 34 of IPC and Sections 3(1)(w)(ii), 3(2)(va) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 was dismissed. The aforesaid order is liable to be set aside and the present appellant may be released on anticipatory bail.

2. As per facts of the case, prosecutrix 'M' gave her statement that she is well educated girl having done B.Sc. Medical, M.Sc. and was preparing for UPSC. In October 2021, she was getting coaching for UPSC examination in Karol Bagh, Delhi. On mobile phone she searched for an



astrologer and came in contact with Gaurav Bhargow, resident of Hisar. She was called at his residence in Hisar and they started talking on phone. She met Gaurav Bhargow on 13.10.2021 and she was impressed with his Tantra Vidhi. She stayed for a night at his house and on that night, he committed forcible rape with her. She returned to Delhi for coaching on the next day. He started giving false assurance that he would pray for her. He came to Delhi to meet her and said that he was doing Tantra Vidhi. In November 2022, she again visited Hisar and met his wife. He developed physical relations with her in the presence of his wife by saying that she had no objection as it was required for Tantra Vidhi. Gaurav Bhargow assured to perform marriage with her by taking divorce from his wife. Her entire family was unhappy with her. She started roaming with him. During this period, she got pregnant. When Gaurav Bhargow came to know about this fact, he refused to have a child. She was forced to consume some medicine for abortion. As a result, on 22.08.2023 due to taking more medicine her baby tube busted and she was taken to hospital where she was operated upon and the tube was removed. She was left alone in ICU by the accused. Now she is residing with her parents. The accused spoiled her life and exploited her physically, mentally, socially and financially. With these allegations, present FIR has been registered.

3. Learned counsel for appellant argued that all allegations levelled against him are false. Their relationship was consensual. The dispute had arisen over money. The appellant is a married person since 2016 and is astrologer by profession, knowing fully well, she continued with the

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relationship. Learned counsel for the appellant referred to the photographs (Annexure P-2). The brothers of complainant misbehaved with him, as a result FIR No.858 dated 20.09.2022, under Sections 294, 34, 506 of IPC, at Police Station Hisar was registered against the brother and cousin of complainant. Due to continuous threats, a complaint was also filed to Senior Superintendent of Police, Hisar (Annexure P-3). Thereafter, a protection petition was filed bearing CRWP No.9585-2022 by the complainant apprehending threat to her life and liberty (Annexure P-4). They decided to live together in a separate house. The rent agreement is Annexure P-5. After a period of five months, they executed a deed of live-in relationship dated 04.08.2023 (Annexure P-6). She also wanted to learn astrology. On his teaching, she started giving online consultation on her google website and social media platform. They used to visit various places. He used to transfer money in the account of complainant, screen shots of said transactions are Annexure P-10. The complainant was inclined towards her family. She asked money for sending her brother to USA and the dispute started. All the allegations are false. Appellant was always ready to join the investigation. Without considering these facts, his anticipatory bail application was wrongly declined by learned Additional Sessions Judge, Hisar vide order dated 19.02.2025. Therefore, his anticipatory bail may be allowed by accepting the present appeal.

4. Appeal is opposed by learned counsel representing State assisted by learned counsel for respondent No.2/prosecutrix. Detailed status report has been filed confirming the facts narrated in the FIR. The statement

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of prosecutrix under Section 183 of BNSS was also recorded before learned Magistrate on 02.02.2025. Victim was medically examined on 03.02.2025. Copy of her MLR and report of FSL are Annexures R-1 and R-2. The medical condition of the victim is confirmed by the doctor in his opinion which is Annexure R-5. Supplementary statements of the prosecutrix were also recorded from time to time which are Annexure R-3 and R-7. Caste certificate of the victim is Annexure R-4. Appellant is yet to join the investigation. Since appellant is also involved under the provisions of SC and ST Act, therefore, he is not entitled to the concession of anticipatory bail. Considering the specific allegations and its gravity, his anticipatory bail application was rightly declined.

5. I have considered the arguments and have gone through the record carefully. It is a matter of record that respondent No.2/prosecutrix is a well-educated girl. She is major. The facts narrated in the FIR indicates that she was allured by the appellant with his astrology and she also went against her family. Appellant has placed on record alleged deed of live-in relationship. Perusal of this document shows that complete deed of live-in relationship is not annexed with the present appeal. First page is of said live-in relationship deed and second page consist of alleged affidavit of the prosecutrix. In the case in hand, learned counsel for respondent No.2/prosecutrix has also denied the factum of filing of protection petition by the prosecutrix. Prosecutrix became pregnant and she was given pills for abortion. Due to the conduct of present appellant, respondent No.2/prosecutrix suffered serious medical problem. Opinion of doctor is

Annexure R-5.

There are serious allegations against the appellant. Matter requires thorough investigation. sConsidering the gravity of offence and aforesaid factual position, I do not find any reason to interfere in the impugned order dated 19.02.2025 vide which anticipatory bail application of the appellant was declined. Consequently, the appeal preferred by the appellant is dismissed.

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

(AMARJOT BHATTI)
JUDGE

03.05.2025
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Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No