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

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Date of Decision:- 28.05.2025

Gurnam

....Petitioner

Vs.

State of Haryana

...Respondent

CORAM:- HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present:- Mr. Namit Khurana, Advocate for the petitioner.

Ms. Aditi Girdhar, AAG, Haryana.

AMARJOT BHATTI, J.

1. Petitioner Gurnam has filed petition under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of anticipatory bail in FIR No.26 dated 22.04.2025, under Sections 64(2) (m), 123, 351 (2) of BNS 2023, registered at Women Police Station, Yamuna Nagar, District Yamuna Nagar.

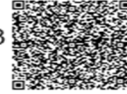
2. As per facts of the case, prosecutrix filed written complaint alleging that she is student of GNM Final Year, Yamuna College, Badhauri. On 29.03.2025 while looking for a job, she approached to UMANG OPP for a job and she was called for the said job. She was told that she will get good salary than in the hospital. Her interview was fixed with Gurnam Singh owner of UMANG OPP Hotel for 03.04.2025. On that day, she called Gurnam Singh who told her that he would pick her up from bus-stand.



Accordingly, he came to pick her up in his car. He showed the workplace downstairs and then took her upstairs on the pretext of interview in his personal room. During interview, he asked about his caste and offered cold drink. After consuming the same, she became unconscious. In the said intoxicated state, said Gurnam Singh lied her on the bed and told her he will give her Rs.35,000/- per month for the work. She could not understand his intention. He indulged in wrong things with her two or three times against her wishes. She remained unconscious in the hotel for the whole of the night. In the morning when she woke up, said Gurnam Singh had already left. She talked to Gurnam Singh on phone as to why he indulged in bad things with her on which he started abusing her using wrong words for her caste. She also faced medical problem. With these allegations, present FIR has been registered.

3. Learned counsel for petitioner pointed out that false FIR has been registered on account of misunderstanding. Now compromise has been effected between the prosecutrix and the present petitioner dated 10.05.2025 (Annexure P-2). His anticipatory bail application was wrongly declined by learned Additional Sessions Judge, Yamuna Nagar at Jagadhri vide order dated 30.04.2025 (Annexure P-3). Petitioner is ready to join the investigation as and when required.

4. Learned counsel representing State has filed status report confirming the facts detailed in the FIR. It is pointed out that during investigation statement of the victim was recorded under Section 183 of BNSS, 2023 and she was also medically examined. Regarding said



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compromise it is mentioned in para No.6 of the status report that the victim has admitted the factum of compromise with the petitioner. Copy of said statement dated 19.05.2025 is Annexure R-2. However, the allegations against the petitioner are serious in nature.

5. I have considered the arguments and have gone through the record. FIR was lodged on the statement of prosecutrix levelling allegations of rape by giving her some intoxicant with the allurements of job. Along with the anticipatory bail petition copy of compromise dated 10.05.2025 (Annexure P-2) has been placed on record and this compromise is confirmed by the investigating agency as detailed in the status report.

In the light of aforesaid factual position, no purpose would be served by sending the petitioner behind the bars. Even otherwise, he is ready to join the investigation. Therefore, without going on the merits of the case, anticipatory bail petition filed by petitioner –Gurnam is allowed. He be not arrested. In case of his arrest, he be released on bail to the satisfaction of Arresting/Investigating Officer concerned, subject to condition that petitioner will join investigation as and when required. He will not tamper with or interfere with investigation and will not leave country without prior permission as provided under Section 482(2) BNSS.

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

28.05.2025

Sunil Devi

(AMARJOT BHATTI)
JUDGE

Whether speaking/reasoned
Whether reportable

: Yes/No
: Yes/No