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

CRM-M-50319-2025

Date of Decision:- 18.11.2025

MOHAMMAD ZISHAN MALLICK

....Petitioner

Vs.

STATE OF HARYANA

...Respondent

CORAM:- HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present:- Mr. Nipun Vashisht, Advocate for the petitioner.

Mr. Abhishek Yadav, DAG, Haryana.

AMARJOT BHATTI, J. (Oral)

1. Petitioner Mohammad Zishan Mallick has filed instant petition under Section 439 and 482 of Cr.P.C. read with Section 483 and 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail in FIR No.44 dated 04.05.2025 under Sections 313, 323, 328, 376 (2) (n) and 506 of IPC, registered at Police Station Women, Sector-51, Gurugram (Annexure P-1).

2. As per facts of the case, complainant 'MS' gave her statement that on 13.11.2020 she was going to Manali by bus from Delhi. Zishan Mallick was sitting on the next seat. He started conversation with her. She tried to avoid him time and again. Even in Manali he came in contact with her. Somehow, he managed to obtain her mobile number. She started receiving calls from unknown number when she called back the person



disclosed his name as Nishant. He insisted to meet her. Said person made her to talk with his friend Salman. Later-on, he came to know that said person Nishant was in-fact Zishan Mallick and he was a Muslim boy. He kept on calling her and assured to provide job for her and called her at IFFCO Chowk, Gurugram. He took her to IFFCO Metro Station Starline Residency Sushant Lok Phase-1, Gurugram. He ordered food and offered her cold drink. After consuming the same, she became unconscious. She regained her consciousness at 3.30 am. She realized that he had committed wrongful act with her. She decided to call the police but she was beaten up. Thereafter, he assured to marry her. He continued with this relationship. During this period, she became pregnant. He had sent her abortion pills. She was forced to consume the same and suffered miscarriage. He kept on assuring to perform marriage. On 13.02.2024 he went to Dubai and was making video calls. He told her to convert her religion. Finally, she decided to lodge the report with the police.

3. Learned counsel for petitioner argued that all allegations levelled against him are false. Present petitioner is holding M.Tech degree and was employed in IT Sector, NCR Delhi whereas alleged victim is 27 years of age holding degree of MBA and was employed as HR in Multi National Company at Dharuhera, Rewari. Their relationship was consensual. He has placed on record screenshots of whatsapp chats. At present, statement of prosecutrix has been recorded as PW1 and statement of her sister has been recorded as PW2 (Annexures P-5 and P-6) where they have not supported



the prosecution version. Petitioner is behind the bars since 09.05.2025. He is ready to abide by the terms of bail order.

4. Bail petition is opposed by learned counsel representing State. Detailed status report has been filed confirming the facts narrated in the FIR. Copy of MLR of the victim is Annexure R-1 and copy of her statement recorded under Section 183 of Bharatiya Nyaya Sanhita, 2023 is Annexure R-2. It is confirmed that on completion of investigation, challan was presented in the Court on 07.07.2025. Charges were framed on 30.08.2025 and now two prosecution witnesses have been examined.

5. I have considered the aforesaid factual position and have gone through the record. FIR was lodged on the statement of victim. Petitioner was arrested in this case on 09.05.2025 and since then he is behind the bars. At present, statement of victim has been recorded as PW-1 and statement of her sister has been examined as PW-2. Both witnesses have failed to support prosecution case. Copies of their statements recorded in the Court are Annexures P-5 and P-6. Other prosecution witnesses are yet to be examined. Trial in this case may take long time. In view of aforesaid factual position, without commenting on the merits of the case, regular bail petition filed by the petitioner Mohammad Zishan Mallick is allowed. He is ordered to be released on bail on furnishing bail bonds and surety bonds to the satisfaction of trial Court/Duty Judge concerned.



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

(AMARJOT BHATTI)
JUDGE

18.11.2025
Snd

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