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

CRM-M-471-2025

Date of decision: 15.05.2025

DEEPAK

...Petitioner(s)

VERSUS

STATE OF HARYANA

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present:- Mr. Anmol Sharma, Advocate
for the petitioner.

Mr. Surinder Kumar Dagar, DAG, Haryana.

JASGURPREET SINGH PURI, J. (Oral)

1. The present petition has been filed under Section 483 of the BNSS, 2023 for the grant of regular bail to the petitioner in FIR No.529 dated 16.08.2024, under Section 376(2)(n) of the IPC, registered at Police Station Chandnibagh, District Panipat, Haryana.

2. Learned counsel for the petitioner submitted that the petitioner is in custody for 8 months and 26 days and the investigation of the case has been completed and even the prosecutrix-complainant has been examined. He further submitted that the allegations against the petitioner were pertaining to rape, which were made by the prosecutrix-complainant, who is a lady of matured understanding and rather in her statement recorded before the learned Magistrate under Section 164 Cr.P.C. vide Annexure P-2, she herself stated that



she was in a relationship with the petitioner for the last 4-5 years. He further submitted that the prosecutrix-complainant is a lady of matured understanding and when the relationship turned sour, the present FIR was got lodged by her against the petitioner. He also submitted that even otherwise also, the petitioner has faced incarceration for 8 months and 26 days and the prosecutrix-complainant has already been examined and therefore, the petitioner may be considered for the grant of regular bail.

3. On the other hand, Mr. Surinder Kumar Dagar, DAG, Haryana submitted that it is correct that the petitioner is in custody for 8 months and 26 days and it is also correct that the prosecutrix-complainant has been examined.

4. I have heard the learned counsels for the parties.

5. It is a case where the petitioner is in custody for 8 months and 26 days and as per the learned counsels for the parties, the prosecutrix-complainant has already been examined. Reference has been made to the statement of the prosecutrix-complainant recorded before the learned Magistrate under Section 164 Cr.P.C., wherein she stated that she was in a relationship with the petitioner for the last 4-5 years. Furthermore, it is not the case of the learned State counsel that in case the petitioner is released on bail, then he may influence any witness or may tamper with evidence or may flee from justice.

6. Therefore, considering the aforesaid totality and circumstances of the present case, this Court deems it fit and proper to grant regular bail to the petitioner.

7. Consequently, the present petition is allowed. The petitioner shall be released on regular bail, if not required in any other case, subject to



furnishing bail bonds/surety bonds to the satisfaction of the learned trial Court/Duty Magistrate concerned.

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

15.05.2025
Chetan Thakur

(JASGURPREET SINGH PURI)
JUDGE

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