



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

224

CRM-M-16434-2026

Date of Decision: 29.05.2026

NARESH SINGH @ NARESH OMPRAKASH SINGHPetitioner

VERSUS

STATE OF HARYANA AND ANR

....Respondent(s)

CORAM : HON'BLE MR. JUSTICE ALOK JAIN

Present : Mr. Punit Malik, Advocate for the petitioner.

Ms. Akshita Chauhan, DAG, Haryana.

Ms. Rinky Gupta, Legal Aid Counsel for respondent no.2.

ALOK JAIN, J. (Oral)

1. The present petition has been filed praying for grant of regular bail to the petitioner in case FIR No.474 dated 24.10.2025 under Section 376 of IPC (Section 64 of BNS) and later on challan was presented under Sections 376, 406 IPC (Sections 64, 316 BNS), registered at Police Station Khedki Daula, Gurugram, Haryana.

2. Learned counsel for the petitioner submits that the entire allegations levelled in the FIR are false, frivolous and concocted and the petitioner reserves his right to take appropriate steps against the complainant for abusing the process of law. Learned counsel submits that the complainant was working as an Air Hostess and there is no explanation of as to why she would require a job when she was already employed. Presuming for the sake of arguments though not admitted that the petitioner and the prosecutrix had physical relationship but the same was consensual in nature. The first alleged incident of violation took place in October, 2023 and further the complainant continued to interact with the petitioner until 19.03.2025. It is



pertinent to note that on 19.03.2025, complainant transferred Rs.70,000/- to the petitioner under the false pretext that petitioner would get a job for her. It is not forthcoming anywhere as to what job was she aspiring and petitioner was promising her to get. Even after on 19.03.2025, she waited for almost seven months and the present FIR came to be lodged on 24.10.2025. Hence, learned counsel prays that the petitioner deserves to be concession of bail.

3. *Per contra*, Learned State counsel assisted by counsel for the complainant on behalf of the complainant has vehemently opposed the grant of concession of bail to the petitioner on the ground that there are serious allegations of the victim having been physically violated on the false pretext of getting better job and the petitioner also took Rs.70,000/- from the complainant. Learned State counsel has fairly submitted that sum of Rs.40,000 has been recovered from the petitioner.

4. In response, learned counsel for the petitioner submits that he will remit disputed amount of Rs.30,000/- as well to the complainant.

5. Learned State counsel has also filed custody certificate and as per which, petitioner is in custody for last 04 months 08 days.

6. Heard learned counsel for the parties at length and have gone through the record carefully.

7. Considering the fact that the petitioner is in custody for last 04 months 08 days and the trial is likely to take considerable time, therefore, no useful purpose would be served by keeping the petitioner in custody. Accordingly, the petitioner is held entitled to the concession of regular bail.

8. In light of above, without commenting upon the merits of the case, the present petition stands allowed and the petitioner is ordered to be



released on bail, if not required in any other case, on furnishing bail bonds and surety bonds to the satisfaction of the trial Court/Duty Magistrate, concerned, subject to payment of Rs.30,000/- to be given by the petitioner to the complainant within a period of 15 days from the date of release, failing which, learned State as well as counsel for the complainant are at liberty to move an appropriate application for cancellation of bail so granted.

The petitioner shall, however, be released on the following conditions:

- i. The petitioner shall declare his ordinary place of residence and the mobile number used by him.
- ii. The petitioner will not switch off his mobile and in case of any technical glitch, he has to give an alternate number, which will be available in his absence.
- iii. The petitioner will mark his presence before the SHO concerned, after every 15 days and in case the SHO refuses to mark his presence, he is permitted to make an application before the Illaqa Magistrate, concerned.
- iv. The petitioner will not leave the country without the prior permission of the Court, for which he will submit the copy of his passport also. However, in case the petitioner does not possess a passport, then he shall file an undertaking to the said effect before being released.

The petitioner shall abide by the terms and conditions as imposed in addition to Section 483 of BNSS, 2023.

9. However, nothing stated above shall be construed as a final expression of opinion on the merits of the case and this order shall not be considered as parity qua any other co-accused in any manner whatsoever.

10. It is further made clear that, in case, the petitioner is found involved in any such activity once again, the State is at liberty to promptly



move an appropriate application for cancellation of bail detailing out the circumstances and violation of conditions of bail.

11. Pending application(s), if any, shall stand disposed of.

29.05.2026

Deepak Patwal

(ALOK JAIN)
JUDGE

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| 1. | <i>Whether speaking/reasoned</i> | <i>Yes/No</i> |
| 2. | <i>Whether reportable</i> | <i>Yes/No</i> |