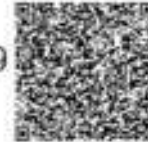


IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

2026:PHHC:055459



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CRM-M-17271 of 2026 (O&M)

Reserved on: 07.04.2026

Pronounced on:09.04.2026

Uploaded on:09.04.2026

Gunjesh

..Petitioner

Versus

State of Haryana

..Respondent

CORAM: HON'BLE MS. JUSTICE SHALINI SINGH NAGPAL

Present: Mr. Abhiraj Singh Rainal, Advocate
for the petitioner.

Mr. Kshitij Bharti, AAG Haryana.

SHALINI SINGH NAGPAL, J.

Petitioner seeks regular bail in case vide FIR No. 275 dated 18.09.2024, under Sections 323 (BNS 115), 376(2)(n) (BNS 64(2),) 495 (BNS 82) and 506 (BNS 351) IPC, Police Station Sector 50, Gurugram District Gurugram. This is the second petition for regular bail. First petition for regular bail was dismissed as withdrawn on 13.01.2026.

Prosecutrix stated that she had been talking to Gunjesh for nine months on instagram w.e.f. January, 2023. Gunjesh came to Gurugram on 28.09.2023 and asked her to bring her sister's ID. When she refused to reach the Hotel, he told her that he had something important to discuss, took her in confidence and called her to the Hotel where he made physical relations on the pretext of marriage. Thereafter, he went to Goa and on 09.11.2023, he again came to Gurugram. He made forcible physical relations with her in the same Hotel. On Diwali, in 2023, he gifted her an iPhone, after which he

went back to Goa, where he had a mobile phone shop. Thereafter, he got her Air ticket booked for 09.12.2023. She went to Goa, where he made physical relation on false promise of marriage. In January 2024, his wife came to their room with her one year old child. There was a quarrel between them, after which Gunjesh kept them both together but did not let her go outside. He had performed fake marriage with her on 25.12.2023 in a temple and had told her that he would not keep her. In May 2024, he left her at Delhi Airport and she came back to Gurugram.

Learned counsel for the petitioner submits that petitioner was in custody w.e.f. 18.03.2025. As per her own version, prosecutrix was in consensual relationship with the petitioner since January 2023. He further submits that prosecutrix had since been examined during the course of trial. She also lived with wife of the petitioner from February 2024 to May 2024 in the same house and in this context referred to statement of prosecutrix recorded in the Court. Her version in the statement under Section 183 BNSS materially varied from her version in the FIR. She also visited petitioner in the jail and demanded money (Rs. 25 lacs) from him for withdrawing the case. Petitioner, therefore, deserved to be enlarged on regular bail.

Learned State counsel has opposed the prayer for regular bail on the ground of serious nature of allegations. It is stated that prosecutrix who was examined in the case as PW1, fully supported prosecution case. Petitioner, concealing the factum of his marriage, established physical relations with the prosecutrix and did not deserve the concession of regular bail.

Petitioner is in custody for the last more than one year.

Statement of prosecutrix has been recorded and there is now no prospect of

the petitioner tampering with evidence. Petitioner has a fixed abode and there is no reason to suspect that he would evade the process of law. His antecedents are clean. Whether or not, prosecutrix was aware that petitioner was married can be determined only on conclusion of trial, on the basis of evidence led. In the facts and circumstances of the case, considering the period of incarceration and all relevant material, petitioner is ordered to be released on regular bail subject to his furnishing adequate bail and surety bonds to the satisfaction of trial Court/Duty Magistrate.

All the pending miscellaneous applications, if any, stand disposed of.

(SHALINI SINGH NAGPAL)

JUDGE

09.04.2026

reema

Whether speaking/reasoned	:	Yes
Whether reportable	:	No