



CRM-M-23846-2026 (O&M)

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

CRM-M-23846-2026(O&M)

Reserved on: 05.05.2026

Pronounced on: 06.05.2026

Uploaded on: 06.05.2026

VICKY

...Petitioner

VERSUS

STATE OF HARYANA

...Respondent

CORAM: HON'BLE MS. JUSTICE SHALINI SINGH NAGPAL

Argued by: Mr. Ajay Gupta, Advocate
for Mr. Gourav Verma, Advocate for the petitioner.

Mr. Kshitij Bharti, Assistant Advocate General, Haryana.

SHALINI SINGH NAGPAL, J.

1. Petitioner seeks regular bail in case arising out of FIR No. 85 dated 18.03.2025 under Sections 115(2), 123, 241, 351(3), 70(1), 3(5) Bharatiya Nyaya Sanhita, 2023 and Sections 30, 54 and 59 of Arms Act, Police Station Bahalgarh, District Sonipat. Offence under Section 140(3) BNS was added in the FIR during investigation. This is the first petition for regular bail.

2. Prosecutrix 'T' aged 25 years stated that since January 2025, she was working as Nursing Officer at a Hospital in Sonipat along with one Bhavishya Rathi, who also worked in the hospital as a Nurse and treated her like a sister. On 16.03.2025, Bhavishya called her on her mobile phone and invited her for his birthday party, offering to pick her up from the hospital. She reached the gate of the hospital as per instructions and after some time,



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Bhavishya reached in a black car without registration, with another boy. She sat on the rear seat of the car and Bhavishya introduced her to the driver of the car namely Ankit, son of his paternal aunt. They took the car from *Kali Mata Mandir* road towards Village *Dhevda*. On the way, one Vicky resident of *Khevda* boarded the car. He started driving the car, while Ankit came and sat beside her. Despite her request to drop her, they paid no heed. When she tried to open the window, Ankit grabbed her. She was taken to a Tubewell *Kotha*, where she was forced to consume liquor and touched inappropriately. When she opposed them, Bhavishya raped her against her wishes. Thereafter, Ankit committed rape followed by Vicky. After that, all three of them put her in the car. When threatened to complain to the police, all three of them said they would themselves call the police. After going further, a police vehicle came. One police officer got down near the car and sat in their car. Then, those three along with the police man pointed gun towards her and threatened to kill her and her family, if she reported the matter. She was taken to a *Dhaba*, where she and Ankit were left. Her purse and mobile phone were taken away. After some time, all three came again, picked her up and dropped her near FIMS Hospital at 12.30 AM returning her purse and mobile phone. She managed to reach home. When her mother insisted and asked about her injuries, she informed her about the incident. Legal action was prayed for.

3. Learned counsel for the petitioner submits that petitioner was behind bars for the last more than 01 year and 01 month. Prosecutrix had since been examined in the case. The FSL report was not incriminating. It was urged that the victim was already in relationship with co-accused Bhavishya Rathi and



habitually roamed and consumed alcohol with him. Petitioner never touched the prosecutrix and did not even know her. Co-accused Wazir @ Ravi had already been allowed regular bail by learned Additional Sessions Judge, Fast Track Court, Sonipat. Petitioner had clean antecedents; there was no apprehension of him absconding. Therefore, he deserved to be released on bail.

4. Learned State counsel has filed custody certificate and opposed the prayer for regular bail of the petitioner, accused of committing gang rape of the prosecutrix along with two others.

5. Petitioner along with co-accused Bhavishya Rathi and Ankit, is alleged to have abducted the prosecutrix in a car, taken her to a tube well *kotha*, where she was sexually violated by each one of the them. Even though the prosecutrix has been examined in the case, the nature and gravity of allegations are not diluted. Considering the serious accusations against the petitioner, the role attributed to him, the medico legal report of the prosecutrix reflecting 07 injuries, quantum of punishment conviction may entail and all relevant facts and circumstances of the case, it is not a fit case to release the petitioner on bail, despite the period of incarceration undergone. Petitioner cannot claim parity with co-accused Wazir @ Ravi, a police official, who was allowed regular bail by learned learned Additional Sessions Judge, Fast Track Court, Sonipat, as he came into the picture after the commission of gang rape and tried to persuade the prosecutrix not to make a police complaint. Release of the petitioner on bail, in the nature of serious allegations of gang rape would not advance the cause of justice. Hence, the petition is dismissed.

6. Nothing observed hereinabove shall be construed as an opinion on merits of the case.
7. Pending CRM(s), if any, are also disposed of accordingly.

May 06, 2026

Ajay Goswami

(SHALINI SINGH NAGPAL)

JUDGE

Whether speaking/reasoned

Whether reportable

: Yes/No

: Yes/No