



CRM-M-38162-2025

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

(212)

CRM-M-38162-2025

Date of Decision:- 08.10.2025

Aayush Aggarwal

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE ALOK JAIN

Present: Mr. Preetinder Singh Ahluwalia, Advocate and
Ms. Bharti Kapur, Advocate for the petitioner.

Ms. Swati Batra, Sr. DAG, Haryana.

Mr. Naveen Kashyap, Advocate for the complainant.

ALOK JAIN, J. (Oral)

1. The prayer is for the grant of regular bail to the petitioner in case FIR No. 378 dated 16.12.2024, registered under Sections 108, 123, 3(5), and 64(2)(m) of the Bharatiya Nyaya Sanhita (BNS) at Police Station Sector-56, District Gurgaon.

2. Learned counsel for the petitioner submits that the consensual relationship between the petitioner and the deceased turned sour, which allegedly led to the suicide of the prosecutrix. The FIR was lodged following the recovery of a suicide note. It is submitted that while the consensual nature of the relationship is not denied, still the ingredients of Section 108 of BNS are not satisfied, as there is no corroborative evidence



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apart from the suicide note to demonstrate that the petitioner instigated the deceased to take such an extreme step.

3. Learned counsel for the petitioner argues that both the petitioner and the deceased were undergoing emotional turmoil, and the decision taken by the deceased was at her own. The allegations are claimed to be vague and evasive, and the truth is expected to emerge during trial. It is further submitted that the suicide note was written on different occasions using multiple writing instruments. Counsel further submits that the perusal of the communication between the petitioner and the deceased allegedly reveals a consensual relationship, wherein the deceased initially refused to marry the petitioner but later blamed him for not marrying her when the relationship deteriorated. It is fairly submitted that the suicide note and diary were recovered from the place of suicide.

4. Learned counsel for the petitioner has also referred to the disclosure statement, indicating that the parties last met in November 2024 and had no contact thereafter. The deceased took the extreme step on 16.12.2024. The suicide note bears no date and it is submitted that the said note merely reflect emotional outburst of the deceased. The petitioner has been in custody for over nine months, and the examination-in-chief of the complainant has already taken place. Nothing remains to be recovered, and the trial is likely to take time. Hence, bail is sought.

5. Learned State counsel has filed the custody certificate, which is taken on record. It reflects that the petitioner has been in custody for 09 months and 10 days. It is submitted that although the suicide note spans over 50 pages and was written on different dates with different instruments,



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but the FSL report confirms the handwriting belongs to the deceased. The note allegedly implicates the petitioner repeatedly, suggesting that he pressurized the deceased to such an extent that she committed suicide. The cross-examination of the complainant and testimony of material witnesses are yet to take place, and there is every likelihood that the petitioner might influence them.

6. Learned counsel for the complainant submits that the deceased was violated and placed reliance on the patient medical record summary dated 29.11.2023, wherein the deceased disclosed sexual activity with a male acquaintance after consuming alcohol wherein, further medical advice was given. It is alleged that the petitioner played a pivotal role in provoking and ruining the life of the deceased, who ultimately took her own life. Despite repeated sexual exploitation, the petitioner allegedly refused to marry the deceased. It is further submitted that the petitioner emotionally blackmailed the deceased by consuming rat poison, and she succumbed to his demands out of fear of prosecution. Heavy reliance is placed on the petitioner's disclosure statement.

7. Heard learned counsel for the parties at length. Learned counsel for the petitioner clarified that although the examination-in-chief of the complainant has taken place, however, an application under Section 358 of BNSS (Section 319 Cr.P.C.) has been filed to summon the petitioner's parents and other relatives as accused in the FIR. Consequently, the cross-examination of the complainant and other witnesses is likely to be delayed.

8. In light of the above, and considering the arguments of counsel for the parties, the fact that the petitioner is a young man aged 28 years and



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has been in custody since 22.12.2024, and that the trial is likely to take considerable time, it is held that no useful purpose would be served by keeping the petitioner in custody and the petitioner can be granted the concession of regular bail by imposing certain stringent condition to which learned counsel for the petitioner does not object.

9. Without commenting upon the merits, the present petition is allowed and the petitioner is ordered to be released on bail, if not required in any other case, subject to furnishing of bail bonds and surety bonds to the satisfaction of the trial Court/Duty Magistrate, concerned. He 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/she 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 from being released.

10. It is also made clear that the petitioner is directed not to intimidate or establish any connection with the witnesses, either directly, indirectly, or through social media. In the event the petitioner is found involved in any such attempt, the complainant or the concerned witnesses



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shall be at liberty to inform the authorities, and the State as well as complainant shall also be at liberty to move an appropriate application for cancellation of bail.

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

12. 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.

13. It is made clear that, in case, the petitioner if found involved in any such activity once again, the present concession granted shall automatically stand vacated.

October 08, 2025

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Whether speaking/reasoned:- Yes/No

Whether Reportable:- Yes/No

(ALOK JAIN)
JUDGE