

2025:PHHC:137610



CRM-M-51561-2025 (O&M)

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

(205)

CRM-M-51561-2025 (O&M)

Date of Decision:-30.09.2025

Shivam Verma

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE ALOK JAIN

Present: Mr. Arnav Ghai, Advocate with
Mr. Lovish, Advocate for the petitioner.

Ms. Swati Batra, Senior DAG, Haryana.

Mr. Vishal Saini, Advocate for the complainant
(through video conferencing)

ALOK JAIN, J. (Oral)

1. The present petition has been filed under Section 482 of BNSS, 2023 for grant of anticipatory bail to the petitioner in case FIR No. 410 dated 12.07.2025 under Sections 376(2)(n) of the Indian Penal Code, 1860, registered at Police Station DLF Sector 29, Gurugram, District Gurugram.

2. Vide order dated 16.09.2025, this Court while granting the concession of interim anticipatory bail directed the petitioner to join investigation.

3. Status report by way of an affidavit of Vikas Kaushik, HPS, Assistant Commissioner of Police, DLF, Gurugram has been filed by

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learned State counsel on behalf of respondent-State along with Annexures R1 and R2, which are taken on record, subject to all just exceptions. Copy thereof has been handed over to the counsel for the petitioner.

4. Learned State counsel has submitted that the complainant's mobile phone has also been seized and mobile phones of both the petitioner as well as the complainant will be sent to the FSL for retrieval of data and preparation of the necessary reports.

5. Learned State counsel further on instructions from ASI Saroj, states that the petitioner has joined the investigation and his custodial interrogation is no longer required.

6. At this stage, learned counsel for the complainant has raised two issues. Firstly, it is submitted that the petitioner is in possession of more than one mobile phone and, therefore, the complainant be permitted to inform the Investigating Officer of the relevant mobile numbers so that the same may also be examined. Learned counsel for the petitioner submits that in case, any other mobile phone is brought to the notice of the Investigating Officer with any cogent proof, the petitioner be directed to deposit the same.

7. The second issue raised by learned counsel for the complainant is that the petitioner has threatened the complainant even after registration of the FIR, however, the said allegation is vehemently denied by learned counsel for the petitioner, who submits that there is a distinction between an attempt to communicate and issuing a threat.

8. Be that as it may, the petitioner undertakes not to communicate with the prosecutrix at any point of time, either directly or indirectly.

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9. In light of the above, the present petition is allowed. The order dated 16.09.2025 granting interim anticipatory bail to the petitioner, is made absolute. However, the petitioner shall join the investigation as and when called upon to do so by the Investigating Agency and shall abide by the conditions of Section 482 of BNSS, 2023. It is also directed that, in case, the petitioner has any other mobile phone either in his name or being used by him should also be handed over to the Investigating Agency and liberty is granted to the complainant to apprise the Investigating Officer *qua* the same also. Needless to say, that the Investigating Officer shall be within his domain to proceed for seizing the said mobile phones and get the record of the said mobile numbers, if any.

10. However, nothing stated above shall be construed as a final expression of opinion on the merits of the case.

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

12. It is further made clear that this order shall not be construed as parity *qua* any other co-accused.

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

(ALOK JAIN)
JUDGE

September 30, 2025

Parul

Whether speaking/reasoned:-	Yes/No
Whether Reportable:-	Yes/No