



264

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

**CRA-S-599-2025 (O&M)**

Date of Decision:- 15.07.2025

**SALINDER SINGH**

....Appellant.

Vs.

**STATE OF HARYANA AND ANOTHER**

...Respondents

**CORAM:- HON'BLE MRS. JUSTICE AMARJOT BHATTI**

Present:- Mr. Navmohit Singh, Advocate for the appellant  
Mr. Sulinder Kumar, DAG, Haryana.

\*\*\*\*\*

**AMARJOT BHATTI, J. (Oral)**

1. Appellant Salinder Singh has filed the instant appeal against impugned order dated 01.02.2025 vide which application under Section 483 BNSS for grant of regular bail was dismissed in FIR No.545 dated 15.10.2024 under Sections 127 (6) Bharatiya Nyaya Sanhita, 2023 (in short 'BNS') (Sections 64, 75, 78, 303 (3), 351 (2) of BNS and Section 3 (W) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities), Act 1989 (in short 'SC/ST Act') were deleted and Section 376 (2) (n), 506 IPC and Section 3 (2) (v) of SC/ST Act added later-on) registered at Police Station Thanesar Sadar, Kurukshetra.

2. As per facts of case, complainant 'RC' father of the victim gave his statement that his daughter 'R' aged about 26 years left the home on 14.10.2024 at about 11/11.30 pm without telling anybody. They tried to search her whereabouts but failed, therefore, missing report was given.

During investigation, victim 'R' was produced by her parents in



**CRA-S-599-2025 (O&M) -2-**

the police station on 19.10.2024. Her statement was recorded by Judicial Magistrate 1<sup>st</sup> Class, Kurukshetra under Section 183 of Bharatiya Nagarik Suraksha Sanhita, 2023. Investigation was carried out. Offence under SC/ST Act was also added. Accused Salinder was arrested on 29.10.2024. On completion of investigation, challan was presented on 24.12.2024.

3. Learned counsel representing appellant raised the issue that all the allegations levelled against appellant are false. Statement of prosecutrix under Section 183 of Bharatiya Nagarik Suraksha Sanhita, 2023 was recorded twice which clearly indicates that version put forward by her is not trustworthy. In-fact, it was a case of love affair. They were meeting each other with their free consent. Police had collected record of Hotel Holiday Inn Guest House, Kurukshetra. They were talking to each other on mobile phone. Their mobile chats are Annexure A-3 and the photographs as well as screenshots are Annexure A-4. Both victim and accused are major. Appellant was arrested on 29.10.2024. His regular bail was wrongly declined by learned Additional Sessions Judge, Kurukshetra by passing impugned order dated 01.02.2025. Appellant will abide by the terms of bail order. Therefore, his appeal may be allowed.

4. Appeal is opposed by learned counsel representing State. In the status report, facts narrated in the FIR and the statement of the prosecutrix recorded twice under Section 183 Bharatiya Nagarik Suraksha Sanhita, 2023 is confirmed which is Annexure R-1 and Annexure R-3 respectively. Copy of MLR is Annexure R-4. Disclosure statement of appellant was also recorded. It is pointed out that after completion of investigation, challan was presented on 24.12.2024 and charges were framed on 13.02.2025 under



**CRA-S-599-2025 (O&M) -3-**

Section 376 (2), 506 of IPC and Section 3 (2) (v) of SC/ST Act. Till date no prosecution witness has been examined. There are specific serious allegations against the appellant. Therefore, appeal preferred by appellant deserves dismissal.

5. I have considered the arguments and have gone through the record carefully. Victim has levelled allegations of rape against the appellant by taking her to hotel room. Offence under SC/ST Act was added subsequently. Statement of victim under Section 183 of BNSS was recorded twice before the Magistrate. After investigation, challan is already presented on 24.12.2024. Charges are already framed on 13.02.2025. Trial is at initial stage. Statement of victim is yet to be recorded. Therefore, there is every possibility that in case appellant is released on bail he may try to influence the victim. In light of aforesaid factual position, at this stage, I do not find merits in the criminal appeal preferred by appellant and the same is dismissed by upholding the order dated 01.02.2025 vide which regular bail application filed by appellant was declined.

6. Appeal is, accordingly, dismissed.

Pending miscellaneous application(s), if any, stand disposed of accordingly as well.

15.07.2025

*snd*

Whether speaking/reasoned:

Yes/No.

Whether reportable:

Yes/No

**(AMARJOT BHATTI)**  
**JUDGE**