



CRA-S-1387-2025

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

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**CRA-S-1387-2025  
Decided on:- 22.07.2025**

**Vikash @ Vicky @ Goga**

....Appellant

**Versus**

**State of Haryana and another**

....Respondents

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

Present:- Mr. Sube Singh Kaushik, Advocate  
for the appellant.

Mr. Sulinder Kumar, DAG, Haryana.

Mr. Krishan Daaria, Advocate  
for respondent No. 2.

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

1. Appellant Vikash @ Vicky @ Goga has filed appeal against impugned order dated 12.03.2025 vide which his anticipatory bail has been dismissed by learned Additional Sessions Judge, Bhiwani in FIR No. 21 dated 25.01.2025 under Section 328, 343, 376-D, 506 of IPC (subsequently added Section 3(2) V of SC/ST Act) registered at Police Station Industrial Area, Bhiwani.

2. Facts of the case are, prosecutrix 'N' @ 'P' gave her statement that accused persons namely Vikas @ Vicky @ Goga and Manish have formed a gang for committing crime. She came in contact with Vikas through Instagram. Prosecutrix used to perform dance on stage. Aforesaid accused persons contacted her to perform a dance in a festival at Haridwar. On 20.09.2023, she accompanied Vikas and Manish for going to Haridwar to perform her dance. When they were proceeding from Bhiwani near



Ninan Bye-Pass, they stopped vehicle and on pistol point both of them forcibly committed rape with her. Even after reaching Haridwar, she was raped. There was no dance performance at Haridwar. She was brought back to Bhiwani. For four days she was kept in M.S. Grand Hotel, Hansi Gate, Bhiwani, where again she was ravished by both of them. They also prepared her obscene video. She has narrated various incidents when she was time and again called and subjected to rape by blackmailing her and by threatening her with pistol. She was forced to meet them. Finally, matter was reported to police.

3. Learned counsel for appellant argued that his anticipatory bail application was wrongly declined by passing impugned order dated 12.03.2025 by learned Additional Sessions Judge, Bhiwani. All allegations are without any basis. In-fact, she was a consenting party. FIR was got registered due to some misunderstanding. Appellant is ready to join investigation as and when required. Appellant has also placed on record affidavit of prosecutrix (Annexure P-3) confirming their consensual relationship and due to some altercation present FIR was got registered. Appellant was involved in other cases also but he was acquitted by the Courts concerned. Copies of judgment are annexed as Annexures P-4, P-5, P-7 and P-8. Appellant will abide by the terms and conditions of bail order. Therefore, impugned order dated 12.03.2025 may kindly be set aside and his anticipatory bail may be allowed by accepting present appeal.

4. Present appeal is opposed by learned counsel representing State. Detailed status report has been filed. Alongwith status report, copy of MLR (Annexure R-1), copy of statement of prosecutrix recorded under Section 164 Cr.P.C. (Annexure R-2) are also placed on record. Learned



counsel representing respondent No. 2-prosecutrix has also confirmed compromise (Annexure P-3).

5. I have considered the aforesaid factual position. Contents of affidavit confirmed the arguments advanced by learned counsel for appellant. It is categorically stated that due to some altercation and out of anger present FIR has been got registered against present appellant. As per status report, appellant is involved in several cases. Some of the judgments of acquittal are placed on record by learned counsel for appellant and even in status report, though there is reference of 10 FIRs, out of which in one FIR No. 162 dated 22.03.2016 under Section 323/325/34/506 of IPC, Police Station Sadar Bhiwani, he was convicted, whereas, in one FIR No. 36 dated 13.02.2021 under Section 147/149/323/34/427/506 of IPC and Section 4 of POCSO Act, Police Station Tosham, he is facing trial. There is reference of two other FIRs in which his bail was cancelled. Merits of aforesaid cases will be decided by the Courts concerned. So far as present case is concerned, prosecutrix has placed on record her affidavit (Annexure P-3) duly confirmed by her counsel. Appellant is ready to join investigation as and when required.

6. In the light of this, impugned order dated 12.03.2025 passed by learned Additional Sessions Judge, Bhiwani is not sustainable in the eyes of law and same is accordingly set aside. Resultantly, appeal preferred by appellant is allowed. He be not arrested. In case of his arrest, he be released on bail to the satisfaction of Arresting/Investigating Officer concerned, subject to conditions that appellant will join investigation as and when required. He will not tamper with or interfere with investigation and will not leave country without prior permission as provided under



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Section 482(2) Bharatiya Nagarik Suraksha Sanhita, 2023 (erstwhile Section 438(2) Cr.P.C.).

7. Pending application(s), if any, also stands disposed of accordingly.

**22.07.2025**

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**(AMARJOT BHATTI)  
JUDGE**

Whether speaking/reasoned: Yes/No  
Whether reportable: Yes/No