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

CRM-M-2409-2025

Date of Decision: 17.01.2025

Ms. S XXXX

...Petitioner

Versus

State of Haryana and another

...Respondents

**CORAM: HON'BLE MS. JUSTICE KIRTI SINGH**

Present: Mr. Vikram Dagar, Advocate for  
Mr. Ravinder Singh, Advocate  
for the petitioner

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**KIRTI SINGH, J.(Oral)**

The present petition has been filed under Section 483(3) read with Section 528 of BNSS, 2023 seeking cancellation of anticipatory bail granted to respondent No. 2 vide order dated 18.11.2024 passed by learned ASJ (Fast Track Court) Gurugram, titled as *Himank Singh vs. State* bearing bail application No. 286 of 2024 arising out of FIR No. 339 dated 24.10.2024, under Section 376(2)(n) registered at Police Station Sector 56, Gurugram.

2. Learned counsel for the petitioner *inter alia* submits that the petitioner is the aggrieved victim in the afore-mentioned FIR, who has suffered repeated sexual exploitation at the behest of respondent No.2, who deceitfully entered into repeated sexual relations with her under false pretext of marriage, exploiting her emotionally and financially for three years. He further submits that the complainant met the accused in January 2021, and their relationship developed, with the complainant accepting his marriage proposal. From August 2021, the



accused began engaging in physical relations with her under the pretext of marriage and in October 2023, the accused and his family visited her home to finalize the marriage arrangements and demanded lavish gifts and a 5-star venue for the Roka ceremony, despite having the knowledge of poor financial condition of family of the complainant and even forced the complainant to leave her job to meet their weight loss demand. Later accused respondent No. 2 started demanding luxury car and more dowry. He assured the petitioner that he will marry her and he continued maintaining physical relations with her under this false promise. In September 2024, the accused informed her that his family members have refused him to marry the complainant stating that she was "below their standards." Subsequently, the complainant filed a police complaint leading to registration of FIR. He further submits that the learned trial Court granted concession of anticipatory bail to respondent No. 2 without considering the seriousness of the offence and the pain and agony suffered by the complainant.

3. Notice of motion to respondent No. 1 only at this stage.

4. At the asking of the Court, Ms. Mahima Yashpal, DAG Haryana accepts notice on behalf of respondent No. 1 and on instructions she submits that respondent No. 2 has joined the investigation.

3. Heard the arguments raised by learned counsel for the petitioner and perused the relevant record.

4. A perusal of case in hand and order dated 18.11.2024 passed by Additional Sessions Judge, Gurugram shows that there is no infirmity or illegality in the order passed as the consideration has been given to the evidence that was placed on record. It has also been observed in the order that Whatsapp chat clearly reflect temperamental differences between both the parties. It was also

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observed that bookings were also made for the marriage ceremony including stay in the hotel and all the aforesaid record clearly depict that it is not a case where the accused never intended to marry the prosecutrix or that the physical relations were established only on the basis of promise of marriage and it does not depict any malafide intention of any kind.

9. Keeping in view the aforesaid facts, this Court is of the view opinion that the present petition is bereft of any merit and the same is, accordingly, dismissed.

**17.01.2025**

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**(KIRTI SINGH)  
JUDGE**Whether speaking/reasoned  
Whether reportableYes/No  
Yes/No