

CRM-M-28487 of 2025

2025:PHHC:114455



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

CRM-M-28487 of 2025

Date of decision: 27.08.2025

Yogesh Kumar

.....Petitioner

versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE NAMIT KUMAR

Present: Mr. Saurabh Dalal, Advocate,
for the petitioner.

Ms. Priyanka Sadar, Sr. DAG, Haryana.

NAMIT KUMAR, J. (ORAL)

1. Learned State counsel submits that the complainant has been informed about the pendency of the present petition, however, none has put in appearance on his behalf.

2. Instant second petition has been filed by the petitioner under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 seeking regular bail in case FIR No.215 dated 07.07.2024 registered under Sections 115, 333, 76, 75(2), 351(3), 324(6), 3(5) of the BNS, 2023 at Police Station IMT Rohtak.

3. Present FIR was registered on the complaint of complainant-Kartar Singh alleging therein that he is living in Faridabad. He usually come

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to his village at Bhalout at his old house to take care of the same. There is a property dispute among other family members regarding partition with petitioner-Yogesh. On several occasions, quarrel had also taken place regarding that dispute and he had earlier filed complaint, but due to family matter, a social Panchayat has compromised the matter and property was amicably distributed between them. However, on 5.7.2024, when he was sleeping at his house at village Bhoulat during night time around 11.00 P.M. he heard the noise at his gate and when he came near to the gate, he noticed that both the accused were having *lathi* and *danda* in their hands and they were creating mischief by continuously giving blows at the gate. They were also abusing him in filthy language. When he raised objection from inside, both the accused had scaled over the gate and had beaten him. They had also asked him to come into the street. Son of the petitioner-Yogesh, namely Sidharth, and wife of Yogesh namely Kamlesh had also arrived at the spot with *lathies* and *dandas* and they had also beaten him. On his hue and cry when his real sister Nirmala, came at the spot, accused had also misbehaved with her and also torn her clothes. They had also molested her and abused her in filthy language. They had also threatened him with dire consequences and after some time hearing hue and cry, the persons gathered at the spot. The entire incident has been captured in the CCTV cameras installed on the spot. The accused persons had also damaged the CCTV cameras. Telephonic call to the police was made. The police had arrived at the spot after some time.

4. Learned counsel for the petitioner submits that the petitioner is

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innocent and has been falsely implicated in the present case. He further submits that petitioner has not committed the offence alleged in the FIR. Learned counsel further submits that investigation in the present case is complete; challan has been presented; charges have been framed and out of total 14 prosecution witnesses 02 have been examined. He further submits that material witnesses i.e. complainant and his sister have already been examined. He further submits that petitioner is in custody since 20.07.2024. He further submits that the petitioner is not involved in any other case. He further submits that trial may take a considerable time to conclude, therefore, no fruitful purpose would be served by detaining the petitioner behind bars.

5. *Per contra*, learned State counsel while placing on record the custody certificate has opposed the prayer for grant of regular bail to the petitioner on the ground that petitioner has caused injuries to the complainant party and has molested the sister of the complainant, therefore, he does not deserve the concession of regular bail.

6. I have heard learned counsel for the parties and perused the record.

7. Keeping in view the custody of the petitioner, which is 01 year, 01 month and 07 days; investigation in the present case is complete; challan has been presented; charges have been framed and out of total 14 prosecution witnesses only 02 have been examined as yet and material witnesses i.e. complainant and his sister have already been examined; petitioner is not involved in any other case and the trial may take a considerable time to conclude, however, without commenting upon the

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merits of the case, the petitioner is ordered to be released on regular bail during trial on her furnishing bail bonds/surety bonds to the satisfaction of Illaqa Magistrate/Trial Court.

8. The petition stands disposed of accordingly.

9. However, anything observed hereinabove shall not be treated as an expression of opinion on the merits of the case and is meant for the purpose of deciding the present petition only.

27.08.2025
R.S.

(NAMIT KUMAR)
JUDGE

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