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**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.**

(205)

CRM-M-37659-2025 (O & M)
Date of Decision:-01.10.2025

Yogesh Budhakoti

.....Petitioner.

Vs.

State of Haryana

.....Respondent.

CORAM:- HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present:- Mr. Bhanu Pratap Singh, Advocate,
for the petitioner.

Mr. T.P. Singh, Sr. DAG, Haryana.

Mr. Gaurav Gupta, Advocate,
for the complainant.

JASJIT SINGH BEDI, J.(ORAL)

The prayer in the present petition under Section 483 of BNSS, 2023 is for the grant of regular bail in case FIR No.557 dated 14.10.2023 under Sections 408, 418, 420, 467, 468, 471 and 120(b) IPC registered at Police Station Kotwali, District Faridabad (Haryana).

2. As per the allegations, the funds of the Garhwal Sabha, Faridabad were misappropriated by the office bearers of the Society.

3. The learned counsel for the petitioner contends that as per the enquiry report dated 07.09.2024 (Annexure P-5), no misappropriation has taken place. Only procedural lapses have occurred. The allegations stem



::2::

out of an *inter se* dispute between the members of the Society. Four co-accused, namely, Dev Singh @ Dev Singh Gosain-President, Surender Rawat, Ganesh Negi and Rajender Rawat have been granted the concession of bail by this Court as well as the Court of the Additional Sessions Judge, Faridabad vide orders dated 14.07.2025 and 23.07.2025 (Annexures P-7 to P-10 respectively). As the petitioner who was the Treasurer of the Society has been in custody since 01.03.2025 but none of the 44 prosecution witnesses has been examined so far, the Trial of the present case is not likely to be concluded anytime soon and therefore, he is entitled to the concession of bail.

4. The learned counsel for the State, on the other hand, contends that the allegations levelled against the petitioner and his co-accused do not entitle him to the concession of bail. He, however, concedes that the petitioner is in custody since 01.03.2025, that none of the 44 prosecution witnesses has been examined so far and that four co-accused have been granted the concession of bail.

5. I have heard the learned counsel for the parties.

6. The veracity of the prosecution case against the petitioner and his co-accused shall be adjudicated upon during the course of the Trial. Admittedly, the petitioner is in custody since 01.03.2025 but none of the 44 prosecution witnesses has been examined so far. Therefore, the Trial in the present case is not likely to be concluded anytime soon. In this situation, the further incarceration of the petitioner is not required, moreso, when four co-accused have been granted the concessions of bail either by this Court or by the Court of the Additional Sessions Judge vide orders dated 14.07.2025



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and 23.07.2025 (Annexures P-7 to P-8 respectively).

7. Thus, without commenting on the merits of the case, the present petition is allowed and the petitioner-Yogesh Budhakoti is ordered to be released on bail subject to his furnishing bail bonds and surety bonds to the satisfaction of learned CJM/Duty Magistrate, concerned.

8. In addition, the petitioner (or anyone on his behalf) shall prepare an FDR in the sum of Rs.50,000/- and deposit the same with the Trial Court. The same would be liable to be forfeited as per law in case of the absence of the petitioner from trial without sufficient cause.

9. The petition stands disposed of.

10. The pending application(s), if any, shall stand disposed of accordingly.

**(JASJIT SINGH BEDI)
JUDGE**

October 01, 2025

sukhpreet

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