



CRM-M-23757-2025

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

(210)

CRM-M-23757-2025.
Date of Decision:-20.08.2025.

Yogesh @ Aloo

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE ALOK JAIN

Present: Mr. Rajat Sheokand, Advocate for the petitioner.

Ms. Swati Batra, Senior DAG, Haryana.

ALOK JAIN, J. (Oral)

1. The present petition is for grant of regular bail to the petitioner in case FIR No.286 dated 05.07.2024, under Section 137 (2), 87 of the BNS, registered at Police Station Purani Sabzi Mandi, Rohtak, District Rohtak in which Sections 64 (2) (m) of BNS and Section 6 of the POCSO Act, 2012 were added later on during investigation.

2. Learned counsel for the petitioner submits that a purely adolescence love relationship has gone sour which led to the lodging of the FIR. He submits that the petitioner and prosecutrix were in a friendship for the last almost two years and on the insistence of the prosecutrix, they eloped for living their life together ahead. He submits that the FSL report does not support the allegations levelled against the petitioner and more so,



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the prosecutrix has also turned hostile.

3. Per contra, learned State counsel, has opposed the present petition and has filed the reply by way of affidavit of Gulab Singh, H.P.S. Deputy Superintendent of Police, Rohtak, on behalf of the respondent-State of Haryana along with relevant Annexures as well as custody certificate. The same is taken on record. He, however, could not dispute the custody undergone by the present petition i.e. more than 01 year and 23 days.

4. Heard the learned counsel for the parties.

5. In light of the above coupled with the fact that the petitioner is in custody since 27.07.2024 and the trial is likely to take time, no useful purpose would be served by keeping the petitioner in custody, hence, the petitioner is entitled to the grant of concession of regular bail.

6. Without commenting upon the merits, the present petition is allowed and the petitioner is ordered to be released on bail, if not required in any other case, subject to his furnishing bail and surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned. He shall, however, be released on the following conditions:

- ❖ The petitioner shall declare his ordinary place of residence and the mobile number used by him.
- ❖ He will not switch off his mobile and in case of any technical glitch, he has to give an alternate number, which will be available in his absence.
- ❖ He will mark his presence before the SHO concerned, after every 15 days and in case the SHO refuses to mark his presence, he is



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permitted to make an application before the Illaqa Magistrate, concerned.

- ❖ He will not leave the country without the prior permission of the Court, for which he will submit the copy of his passport also. However, in case, the petitioner does not possess a valid passport, then he shall file an undertaking to the said effect before being released.

7. The petitioner shall abide by the terms and conditions as imposed in addition to Section 483 of BNSS, 2023.

8. However, nothing stated above shall be construed as a final expression of opinion on the merits of the case and this order shall not be considered as parity qua any other co-accused in any manner whatsoever.

9. It is made clear that, in case, the petitioner is found involved in any such activity once again, the State is at liberty to promptly move an appropriate application for cancellation of bail detailing out the circumstances and violation of the condition(s) of bail.

(ALOK JAIN)
JUDGE

August 20, 2025.

S. Sethi

Whether speaking/reasoned:- Yes/No
Whether Reportable:- Yes/No