



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

234

CRM-M-5277-2025

Date of decision: 26.05.2025

Yogender Bahadur

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. D.S. Virk, Advocate for the petitioner.

Mr. Gagandeep Singh Chhina, AAG, Haryana.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner in the instant (second) petition is seeking the concession of bail under Section 439 of the Cr.P.C. in case FIR No.061 dated 19.02.2022 under Sections 323, 328, 381, 459 of the IPC (Section 307 of the IPC added lateron) registered at Police Station Civil Lines, Kaithal, District Kaithal.

2. Learned State counsel, at the outset, has opposed the prayer made by the counsel opposite for extending the concession of bail to the petitioner. It has been submitted that six co-accused who had also participated in the occurrence in question, after being enlarged on bail, had fled India and sneaked into Nepal; all the accused including the petitioner, are citizens of Nepal and, therefore, there is a genuine apprehension that the petitioner too could abscond leading to the trial coming to a virtual standstill. Learned State counsel has, on further instructions, submitted that the petitioner is a man of criminal



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antecedents. It has also been brought to the notice of this Court that all the material witnesses while stepping into the witness box had supported the case of the prosecution in its entirety. Hence, there existed even more likelihood that in the circumstances, the petitioner who is from Nepal, would also follow-suit by misusing the concession of bail and fleeing India to Nepal. In addition, learned State counsel has reiterated the contents of the FIR (Annexure P-1) and which stands reproduced hereinunder:-

“To the SHO, Civil Line Kaithal, Subject: Regarding beatings given and theft committed by the servant and his companions. Sir it is requested that myself Sanjay Tanwar son of Raghvinder Singh is permanent resident of Ajay Market, Kaithal. One Roop Singh resident of Nepal had been working with me as a domestic servant for about 20-25 years. About 15 days back Arjun r/o Nepal servant of Gautam Miglani r/o Model Town Kaithal got appointed a boy named Parveen r/o Nepal as a servant in my house. Yesterday on 18.02.2022 at about 7:00 PM myself and my family had gone to Chandigarh to attend the marriage of Udayveer son of my uncle (Chacha) Rao Surinder Singh and Roop Singh, Parveen and Kamla were left at home for taking care the house. Today at about 6:00 AM when I returned home then the door of the house lying open. When I came inside then the almirah kept inside my room was found broken from which the clothes and empty boxes of the jewellery was found on the bed and in the bathroom of that very room my servant was found locked in injured and unconscious conditions. Then I went to the other room and saw that in that room also the almirah had been broken and the jewellery and money was found missing. Then I went to the room of my son which on the first floor and there also the almirah was found broken and from the same the jewellery and money was missing. Then I called no. 112 and narrated the entire incident. Then after arranging the Ambulance I got my servant Roop Singh admitted to Government Hospital for treatment, who was referred to PGI due to his serious conditions. Both the dogs in the house were made unconscious by administering them something. I enquired about the second servant Parveen then I came to know that Parveen and the person Arjun who had got Parveen appointed were missing since night. When I saw in the kitchen, the I saw



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that at that time at about 8:55 PM two-three persons were standing outside the window and those two persons mercilessly grabbed my servant Roop Singh and dragged him outside. It is mindful that out of these persons one was Parveen and the second had covered his face. I have full faith Parveen and Arjun alongwith their 4/5 companions had planned together and had looted diamond jewellery worth Rs.39.25 lacs, the ornaments of gold worth Rs.68.90 lacs weighing about Ikilo and 500 grams, Rs.20 lacs in cash total about 1 crore 28 lacs by inflicting injury to my servant and by confined him. strict legal action be taken against them and our money and ornaments be recovered. Nevertheless I will check completely and will prepared a complete list of all the articles and will produced before you. Sd/- Sanjay Tanwar son of Raghvinder Singh r/o House no. 441/12, Street No.9, Ajay Market, Kaithal, 8295001414, 7658888822.”

3. I have heard learned counsel for the parties and perused the material placed on record, including the custody certificate which has been placed on record by the learned State counsel today in the Court.

4. A perusal of the custody certificate indeed reveals that the petitioner is booked in several criminal cases; other than the present case, the petitioner is facing trial in four criminal cases in the State of Uttar Pradesh. In addition, there are serious and specific allegations levelled against the petitioner. Therefore, in the facts and circumstances as enumerated hereinabove, this Court does not deem it fit to extend the concession of bail to the petitioner.

5. Accordingly, the instant petition is hereby dismissed.

6. It is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

7. However, since the petitioner has been in custody since 05.05.2022, the learned Trial Court shall make earnest efforts to



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expedite the trial and conclude it at the earliest, preferably within next five months.

26.05.2025

Vinay

(MANJARI NEHRU KAUL)
JUDGE

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