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

CRM-M-9164-2025**Date of Decision: 21.02.2025**

Pawan Yadav

...Petitioner

vs.

State of Haryana

...Respondent

Coram : Hon'ble Mr. Justice N.S.Shekhawat

Present : Mr. Akshay Kumar Jindal, Advocate with
Mr. Yashvardhan Goyal, Advocate and
Ms. Bhavya Vats, Advocate
for the petitioner.

Ms. Sheenu Sura, DAG, Haryana.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the instant petition under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 with a prayer to grant regular bail in case FIR No.502 dated 26.10.2024 registered under Sections 34, 419, 420, 448, 467 and 468 of IPC, at Police Station Badshahpur, Gurugram.

2. Learned counsel for the petitioner contends that the petitioner had no concern with the allegations levelled by the complainant and he has been unnecessarily dragged in the instant case. In fact, it has been falsely alleged that the petitioner was broker through whom the flat of the complainant was rented out to Vikas Yadav. Ultimately, it was alleged that Vikas Yadav had allegedly handed over the flat to Yogender Pal Khatana @ Yoginder Pal Khatana, who ultimately occupied the flat illegally. Learned counsel has referred to the order dated 03.02.2025 (Annexure P-3) passed by this Court,



whereby, this Court had granted the bail to Yogender Pal Khatana @ Yoginder Pal Khatana. He further submits that even Yogender Pal Khatana @ Yoginder Pal Khatana has vacated the flat and the possession has already been handed over to the complainant side. The petitioner was arrested in the present case on 13.01.2025 and is in custody since then. Even no recovery is to be effected from the present petitioner.

3. On the other hand, learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioner on the ground that serious allegations have been levelled against the present petitioner and he does not deserve the concession of bail by this Court.

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

5. In the present case, the flat allegedly occupied by Yogender Pal Khatana @ Yoginder Pal Khatana illegally. However, it is apparent from the order dated 03.02.2025 (Annexure P-3), he has already vacated the flat and the possession has been handed over to the lawful owner of the flat. Even Yogender Pal Khatana @ Yoginder Pal Khatana has granted the concession of bail by this Court.

6. Without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate, concerned.

(N.S.SHEKHAWAT)
JUDGE

21.02.2025
hemlata

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