



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

CRM-M-21361-2025 (O&M)

Reserved on: 04.09.2025

Pronounced on: 05.09.2025

YOGESH BENIWAL

...Petitioner

V/S

STATE OF HARYANA

...Respondent

CORAM: HON'BLE MS. JUSTICE SHALINI SINGH NAGPAL

Present: Ms. Garima Modi, Advocate

for Mr. Ankur Lal, Advocate for the petitioner.

Mr. Kshitij Bharti, Assistant Advocate General, Haryana.

SHALINI SINGH NAGPAL J. (Oral)

Petitioner seeks regular bail in case arising out of FIR No. 303 dated 04.10.2024 under Sections 127(6) of Bharatiya Nyaya Sanhita, 2023, Police Station Kosli, District Rewari. Sections 69, 351(3), 303, 317(2) BNS have been added subsequently in the FIR. This is his first petition for regular bail.

Learned counsel for the petitioner submits that the complainant, who lodged the FIR was a mature, married, 28 years old lady and 05 years elder to the petitioner. It was a purely consensual relationship. He further submitted that petitioner was in judicial custody w.e.f. 26.10.2024 and in view of the nature of allegations, he deserved to be enlarged on regular bail.

Learned State counsel has placed on record custody certificate of the petitioner. He opposed the prayer for regular bail submitting that trial was in progress and prosecution witnesses were yet to be examined. It has been argued that allegations against the petitioner were serious and he did not deserve to be released on bail.

FIR in the case was registered on complaint of husband of

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the prosecutrix, who informed the police regarding her leaving home with no intimation, along with Rs. 2,50,000/- and 250 grams of gold. Subsequently, the prosecutrix was recovered and her statement under Section 183 BNSS was recorded. As per her version, the petitioner became friendly with her on Instagram and persuaded her to leave home and her daughter and on his asking, she took away jewellery and Rs. 35,000/- cash. She stated that petitioner had illicit relations with her and whenever she refused, he would forcefully commit wrong acts. He also sold her bangles and she was left with only 03 rings and 02 pair of earrings.

As per custody certificate, petitioner is behind bars for the last more than 10 months. Though he is involved in two other cases, pendency of the cases cannot be a ground to refuse bail. In the given facts and circumstances of the case, considering the period of incarceration undergone, but without meaning to comment on the merits, petitioner-Yogesh Beniwal is ordered to be released on regular bail on his furnishing bail bonds and surety bonds to the satisfaction of trial Court/Duty Magistrate concerned.

The petition is allowed.

(SHALINI SINGH NAGPAL)
JUDGE

Reserved on: 04.09.2025

Pronounded on :05.09.2025

Ajay Goswami

Whether speaking/reasoned

Whether reportable

Yes/No

Yes/No