



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

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CRM-M-38466-2025
Date of decision: 25.07.2025

YASH YADAV

... Petitioner

Versus

STATE OF HARYANA

.. Respondent

CORAM : HON'BLE MR. JUSTICE H.S. GREWAL

Present:- Mr. R.S. Cheema, Senior Advocate with
Mr. R.K. Trikha, Advocate and
Mr. Satish Sharma, Advocate
for the petitioner.

H.S. Grewal, J. (Oral)

1. The present petition has been filed under Section 483 Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 seeking regular bail in FIR No.668 dated 02.11.2023 under Sections 302, 120-B IPC, 1860 and Sections 25, 29(b) of Arms Act, registered at Police Station Sector-10A, Gurugram.

2. The case of the prosecution is that the petitioner had fired 03 shots from a fire arm at his father namely Rajbir Singh, who died on the spot and it is also stated that the petitioner had fired shot at the arm of Sarita, to make out a case that the incident had taken place in self-defence. It is submitted that in fact, it was Rajbir who had fired at Sarita and thereafter, in self-defence, Sarita had taken the weapon and fired at the deceased-Rajbir. Moreover, the prosecution has still not been able to explain as to how the gun shot residue was found in the hands of the deceased as the gun shot residue found in the hands of the



deceased does not explain the sequence of events, as made out by the prosecution. Moreover, there is no evidence against the petitioner apart from the disclosure statement of the present petitioner as well as of Sarita. Also, it is submitted that the motive for false implication is stated to be that the brother of the deceased is the beneficiary of the land left by the deceased-brother who is also the author of the present FIR.

3. Learned counsel for the petitioner contends that the petitioner is in custody since 07.11.2023 and has already undergone custody period of more than 01 years and 08 months.

4. Notice of motion.

5. Mr. Amrik Narwal, DAG, Haryana, accepts notice on behalf of the respondent-State.

6. Learned counsel for the State vehemently opposes the grant of concession of regular bail by way of filing of custody certificate dated 24.07.2025 and further states that the petitioner has undergone custody period of 01 year, 08 months and 15 days and out of 45, 10 prosecution witnesses have been examined so far.

7. I have heard learned counsel for the parties and have gone through the material placed on record.

8. Keeping in view the facts and circumstances of the present case, and the fact that the custody period undergone by the petitioner is 01 year, 08 months and 15 days and out of 45, only 10 prosecution witnesses have been examined, further incarceration of the petitioner would not serve the ends of justice and also conclusion of the trial is likely to take a long time. Therefore, this Court deems it a fit case to grant the concession of regular bail to the



petitioner.

9. Therefore, without expressing any opinion on the merits of the case, the instant petition is **allowed**. The petitioner is granted concession of regular bail in the present case, on his furnishing requisite bonds to the satisfaction of the trial Court/Duty Magistrate/ Chief Judicial Magistrate concerned. The pending applications, if any, also stand disposed of.

10. It is however, made clear that in case during his bail, the petitioner indulges in any offence, the State shall be at liberty to file an application for cancellation of bail of the petitioner.

25th July, 2025

Sonia Puri

(H.S. GREWAL)
JUDGE

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