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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-45242-2025

Date of Decision: 31.10.2025

YASH ALIAS UTTU

..... Petitioner

Versus

STATE OF HARYANA

..... Respondent

CORAM: HON'BLE MR. JUSTICE YASHVIR SINGH RATHOR

Present : Mr. Manish Soni, Advocate with
Mr. Gurdeep Grewal, Advocate
for the petitioner.

Ms. Jasmine Gill, AAG, Haryana.

YASHVIR SINGH RATHOR, J. (Oral)

1. This is the first application under Section 483 of BNSS, 2023 for grant of regular bail in case FIR No.159, dated 04.10.2024, registered at Police Station Sohna, District Gurugram, under Sections 140(3) [365 of IPC] & Sections 3(5) [34 of IPC] BNS (deleted later on) & 103 (1) [302 of IPC], 191(3) [148 of IPC], 190 [149 of IPC], 61(2) [120-B of IPC] of BNS, 2023.

2. Status report by way of an affidavit dated 24.10.2025 of Jitender HPS, Assistant Commissioner of Police, Sohna, Gurugram, Haryana filed on behalf of the respondent-State is taken on record. Registry is directed to tag the same at an appropriate place.

3. Learned counsel for the petitioner as well as learned State counsel have been heard and material collected by the police during investigation has been perused.



4. Brief facts of the prosecution case are that on 04.10.2024, the complainant Lokesh moved a complaint before the police that his son Atul had gone missing and that his daughter in law namely Kajal had seen his son going away in the company of Ankit and Saurabh. Statement said Kajal was also got recorded. On 06.10.2024, the dead body of Atul was found lying near Valmiki cremation ground with both his hands chopped off. Complainant got recorded his supplementary statement that one FIR No.186 dated 13.12.2022 was registered against one David and in order to avenge the same, accused Ankit, Saurabh, Krishna, David and Yash (petitioner) have murdered his son Atul. Offences punishable under Sections 103(1), 191(3), 190 and 61(2) of BNS, 2023 were added and the offence under Section 3(5) of BNS was deleted. On 07.10.2024, accused Davinder alias David, Sagar alias Saurabh and Ankit alias Bhabbad were apprehended and on interrogation, they suffered disclosure statements admitting their involvement in the commission of crime. Accused Sagar alias Saurabh got recovered mobile phone used in committing the crime while accused Devinder alias David got recovered the clothes which he was wearing at the time of incident as well as one axe used in the commission of crime. On 15.10.2024, accused Honey was arrested and he also suffered disclosure statement admitting his involvement in the commission of crime. The CDR's of David, Saurabh and Ankit were obtained and after completion of investigation, final report was presented against Devinder alias David, Ankit, Saurabh and Honey on 24.12.2024 while one Krishna was found to be innocent. On 18.03.2025, accused-Yash alias Uttu (petitioner) was arrested and he suffered disclosure statement admitting his involvement in the commission of crime. CDR of



his mobile phone was also obtained and after completion of investigation, final report was presented against him. As per status report filed by the police, petitioner had played an active role in hatching conspiracy in committing the murder of the deceased and he was in touch with the remaining accused. It has also been found during investigation that accused in order to avenge the earlier assault upon accused Devinder alias David had hatched the conspiracy to kill the deceased and in furtherance of the said conspiracy, Sagar administered some drug to Atul and when he came under the effect of drugs, both his hands were chopped off by four of the accused namely Honey, Devinder, Ankit and Sagar and thereafter he died.

5. Learned counsel for the petitioner contended that petitioner has been falsely implicated in the present case. There is no evidence against him. No one had seen deceased in the company of petitioner. He has been named as an accused in the disclosure statements suffered by the co-accused and the allegations against him are regarding hatching of conspiracy. He was also not present at the scene of crime when the murder was allegedly committed which as per prosecution case was committed by Sagar, Honey, Devinder and Ankit by chopping off hands of deceased. Learned counsel further contended that disclosure statements suffered by co-accused are inadmissible in evidence and there is no cogent evidence to connect the petitioner with the alleged offence regarding hatching of conspiracy. The petitioner is in custody since 04.10.2024. The trial is likely to take sufficiently long time to conclude and in these circumstances, further detention of the petitioner is not required and he deserves to be released on bail.



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6. On the other hand, learned State counsel has opposed the bail and argued that petitioner does not deserve the concession of bail in view of the gravity of the offence.

7. Accused was neither seen taking away the deceased with him before he died nor he was present at the scene of crime at the time of murder. The only allegation against the petitioner is that he had hatched the conspiracy alongwith the remaining accused and he was in touch with them through mobile calls. He has been nominated as an accused on the basis of disclosure statements suffered by co-accused namely Davinder alias David, Sagar alias Saurabh and Ankit alias Bhabbad and thereafter, he himself suffered his disclosure statement admitting his involvement in the commission of crime. As to how much evidentiary value will be attached to the disclosure statements suffered by him and co-accused shall be the subject matter of trial. The petitioner is in custody since 04.10.2024. The trial is likely to take sufficiently long time to conclude and in these circumstances, further detention of the petitioner is not required and he deserves to be released on bail.

8. Having regard to the aforesaid factual position, but without commenting anything on the merits of the case, the bail application is allowed and petitioner is ordered to be released on bail on his furnishing bail bonds and surety bonds to the satisfaction of learned Trial Court/Duty Magistrate concerned, on usual terms and conditions.

(YASHVIR SINGH RATHOR)
JUDGE

31.10.2025

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Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No