



CRM-M-56544-2025 (O&M) -1-

(254) IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-56544-2025 (O&M)
Date of decision : 09.12.2025

YOGESH MADAN @ YOGESH KUMAR MADAAN

... Petitioner

Versus

STATE OF HARYANA

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Keshav Pratap Singh, Advocate for the petitioner

Mr. Neeraj Poswal, AAG, Haryana

Mr. Anil Sharma, Advocate for the complainant

MANISHA BATRA, J.

CRM-42822-2025

1. Learned counsel for the applicant-petitioner seeks withdrawal of this application, at this stage.

2. Ordered accordingly.

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1. The instant petition has been filed by the petitioner under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') seeking grant of regular bail in case arising out of FIR No.474, dated 21.11.2024, under Sections 420, 120B of IPC registered at Police Station Kheri Pul, Faridabad.



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2. The afore-mentioned FIR was registered on the basis of a complaint moved by the complainant-Ravinder Kumar Singhal alleging that the accused-Karam Chand alias Kaka Chopra and his son Shubham Chopra, who were property dealers were acquainted with him. They had introduced him with the present petitioner and had represented that the latter wanted to sell a plot measuring 45 Sq. Yards situated at Village Baselwa, District Faridabad. The accused-Karam Chand Chopra and Shubham Chopra induced the complainant to purchase the said plot from the petitioner. The petitioner also represented that the proposed property was free from all encumbrances. An agreement was executed between the petitioner and the complainant for purchase of the above-mentioned plot by the complainant for a sale consideration amount of Rs.28 lakhs. The complainant gave an amount of Rs.14 lakh in cash and 13 lakhs through cheques to the petitioner. However, instead of executing sale deed, the petitioner started avoiding the matter on one pretext or the other and then the complainant came to know that the same plot had already been sold by the petitioner to one Shiv Kumar for a sum of Rs.19 lakhs. By alleging that he had been duped of his money at the hands of the petitioner and the co-accused, he prayed for taking action in the matter. After registration of FIR, investigation proceedings were initiated. The petitioner was arrested on 11.06.2025. He suffered disclosure statement admitting his involvement in the crime. The co-accused Shubham Chopra was extended benefit of pre-arrest bail. Investigation qua the petitioner stands concluded.

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2. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. He is in custody since 11.06.2025. The subject offences are triable by Magistrate. The investigation stands concluded. Trial will take considerable time. His continued detention would not serve any useful purpose. He is a man of clean antecedents. With these broad submissions, it is argued that he deserves to be released on bail.

3. Per contra, learned State Counsel has argued that keeping in view the gravity of the allegations as levelled against the petitioner, he does not deserve to be extended benefit of bail.

4. This Court has heard rival submissions made by both the parties.

5. The petitioner in connivance with the co-accused is alleged to have caused wrongful loss to the tune of Rs.28 lakhs to the complainant by inducing him to part with the same on the premise of selling his plot to the complainant. He is in custody since 11.06.2025. No civil litigation has been initiated by the complainant. No recovery has been effected from the petitioner. The trial will take time to conclude. The offence alleged to be committed by the petitioner is triable by Magistrate. It is well settled proposition of law that bail is the rule and jail is an exception. Pre-trial incarceration of an accused should not be a replica of post-conviction sentencing. Without delving deep into the merits of the case and keeping in view the nature of the allegations and the period spent by the petitioner in custody, this Court is of the considered opinion that a case for release of the petitioner on bail is

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made out. Accordingly, the petition is allowed subject to the petitioner's furnishing personal as well as surety bonds to the satisfaction of the learned trial Court, and subject to the condition that he shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case. He shall appear before the learned trial Court on each and every date of hearing except when his presence has been exempted by the trial Court. He shall surrender his passport, if any, furnish details of his cell phone and Aadhaar card, and shall not change his mobile number(s) during the pendency of the trial.

6. It is clarified that the observations made above shall not be construed as an expression of opinion of this Court on the merits of the case and shall not influence the outcome of the trial in any manner.

7. Since the main petition has been allowed, pending application, if any, is rendered infructuous.

(MANISHA BATRA)
JUDGE

09.12.2025
Amit Sharma

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