



**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH.**

114

CRM-M-22189-2026.

Date of Decision: 22.04.2026.

Yogesh Chaudhary

....Petitioner.

VERSUS

State of Haryana

....Respondent.

CORAM : HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Kunal Dawar, Senior Advocate with
Mr. Mayank Aggarwal, Advocate for the petitioner.

Mr. Parveen Kumar Aggarwal, Additional Advocate General,
Haryana.

Mr. Akshay Jindal, Senior Advocate with
Mr. Tushar Kush, Advocates for the complainant.

SANJAY VASHISTH, J. (Oral)

Petitioner-Yogesh Chaudhary has filed the present petition under Section 482 BNSS, 2023, for grant of anticipatory bail in case FIR No.273 dated 26.09.2026 under Sections 406 and 420 IPC, registered at Police Station Sector-56, Gurugram.

2. Without adverting to the merits and factual aspect of the case, learned senior counsel for the petitioner has taken the Court to the impugned order dated 18.04.2026 (Annexure P-9), whereby the Court of learned Additional Sessions Judge, Gurugram, did not exercise the power vested with the Court under Section 482 of BNSS.

3. This Court has gone through the order, whereby the application for anticipatory bail moved by the petitioner has been disposed of being not maintainable on the premise that matter seeking similar relief is pending adjudication before the High Court.

In fact, to the view point of this Court, the prayer made in the quashing petition (CRM-M-1300-2026), is only to the extent of seeking direction to the State to not to take any coercive action against the petitioner. There is no provision in the BNSS/Cr.P.C. either to make any such prayer or enabling provisions for the Court also to issue such directions. However, such prayer is entirely different to the purpose which has been enshrined by the law makers under Section 482 of BNSS i.e. for joining of investigation and to release on bail in the eventuality of arrest.

5. Therefore, this Court does not find any justification in the order recorded by the Court of learned Additional Sessions Judge, Gurugram, who actually has deviated himself from looking at the allegations and then to opine his view on merits if the case is made out or not for the purpose of relief claimed in the application.

6. Accordingly, the Court of learned Additional Sessions Judge, Gurugram, is directed to pass a fresh order ignoring the already passed order dated 18.04.2026, whereby it was held that the application is not maintainable. Let a fresh order be passed in accordance with law after considering all the facts and exercising its statutory power under Section 482 of BNSS.

7. Let the parties appear before the Court which refused to entertain the application on or before **27.04.2026**. Till the time of appearance on the

date given by this Court, arrest of the petitioner shall remain stayed. However, it won't be considered any expression of opinion on the merits or factual aspect of the case because this Court expects that an independent view would be taken afresh by the Court concerned.

8. The petition stands **disposed of** accordingly.

(SANJAY VASHISTH)
JUDGE

22.04.2026
jitender

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