



206

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

**CRM-M No.29751 of 2026
Date of Decision: 29.05.2026**

Kishan Yadav

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Rahul Kumar, Advocate
for the petitioner.

Ms. Diya Sodhi, Sr. DAG, Haryana.

RAJESH BHARDWAJ, J.

1. Present second petition has been filed praying for the grant of regular bail to the petitioner in case bearing FIR No.0005, dated 06.01.2025, under Sections 3(5)/309(4) of BNS, registered at Police Station Civil Lines Gurgaon, District Gurgaon, Haryana.

2. Succinctly, the facts of the case are that FIR in the present case was got registered on the statement of complainant, namely, Aman, It was alleged that the complainant was working in Rishav Global Industrial Private Limited. On 05.01.2025, at about 07:40 P.M., he was standing at Hero Honda Chowk to go home and in the meantime, one taxi came and stopped near him in which 03 persons were sitting. The complainant also boarded the taxi to go to Delhi. It was alleged that when the vehicle crossed Rajeev Chowk, two persons in the back seat pulled out a knife and



put it on his neck. They asked the complainant to hand over all his belongings and in fear, he handed over an amount of Rs.3500/- along with his Vivo mobile phone. One of the person, after noticing his earrings and silver chain around his neck, snatched the same from him. It was alleged that driver of the car threatened him to reveal his phone's password and then asked him to transfer an amount of Rs.25,000/- to his phone. Thereafter, they dropped him at an abandoned place on Gurugram-Mehrauli road and fled away with threatening not to tell the incident to anyone. Thus, the request was made to take legal action against the accused persons. On the basis of the same, the FIR was registered. On registration of the FIR, the investigation commenced. During the investigation, complicity of the petitioner surfaced, thus, he was arrayed as an accused in the present case. Resultantly, the petitioner was arrested on 07.01.2025. On completion of the investigation, the challan was presented. The petitioner approached the Court of learned Additional Sessions Judge, Gurugram praying for the grant of regular bail. However, after hearing both the sides and finding no merit in the same, the learned Additional Sessions Judge, Gurugram dismissed the bail application filed by the petitioner vide order dated 21.07.2025. Being aggrieved, the petitioner earlier approached this Court praying for the grant of regular bail by way of filing CRM-M-59727-2025, however, the same was dismissed as withdrawn vide order dated 04.11.2025. Hence being aggrieved, the petitioner is again before this Court praying for grant of regular bail by way of filing the present second petition.

3. Learned counsel for the petitioner has vehemently contended that the petitioner has been falsely and frivolously implicated in the present case. He has submitted that the co-accused, namely, Abhishek @ Abhi,



who has duly identified during the Test Identification Parade, has already been granted the concession of regular bail by the Coordinate Bench of this Court vide order dated 10.03.2026 passed in CRM-M-9246-2026, whereas the petitioner was not even identified during the Test Identification Parade. He has submitted that though the petitioner was falsely involved in other cases, however, he is on bail in those cases. He has submitted that the petitioner has no concern with the alleged offence and nothing has been recovered from him. He has submitted that the petitioner is behind bars since 01.07.2025, however, there is no material progress in the trial. He has submitted that in the overall facts and circumstances of the case, the petitioner deserves to be granted regular bail.

4. *Per contra*, learned State counsel has vehemently opposed the submissions made by counsel for the petitioner. She has submitted that the petitioner is a habitual offender, who is involved in 07 other cases. She has submitted that the complicity of the petitioner has been *prima facie* established during the investigation. She has submitted that there is a recovery of knife from the petitioner. She, on instructions, has submitted that out of total 15 prosecution witnesses, 05 witnesses have been examined so far. She has produced custody certificate of the petitioner today in the Court, which is taken on record. She thus, has submitted that no case for the grant of regular bail to the petitioner is made out and the present petition deserves to be dismissed.

5. Heard.

6. After hearing counsel for the parties and perusing the record, it is deciphered that the petitioner is behind bars since the date of his arrest, i.e. 07.01.2025. Admittedly the similarly situated co-accused, namely, Abhishek @ Abhi has already been granted the concession of regular bail



by the Coordinate Bench of this Court. As contended before this Court by learned counsel for the petitioner that the petitioner has not been identified during the Test Identification Parade. Custody certificate produced would show that the petitioner has suffered an incarceration of 01 year, 04 months and 19 days as on 28.05.2026. It further reflects that the petitioner is involved in 01 more case, however, he is on bail in that case. Out of 15 prosecution witnesses, 05 witnesses have been examined till date.

7. The veracity of the allegations would be assessed only after the conclusion of the trial and on the appreciation of evidence to be led by both the parties before the trial Court. This Court would refrain itself from commenting anything on the merits of the case. The trial of the case will take sufficient long time.

8. Keeping in view the arguments raised by both the sides and perusing the record, this Court is of the opinion that learned counsel for the petitioner succeeds in making out a case for grant of regular bail to the petitioner.

9. Accordingly, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate.

10. Nothing said herein shall be treated as an expression of opinion on the merits of the cases.

29.05.2026

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(RAJESH BHARDWAJ)
JUDGE

Whether Speaking/Reasoned :	Yes/No
Whether Reportable :	Yes/No