



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

108

CRM-M-49800-2025
Decided on : 29.04.2026

Shailesh Yadav alias Raju

. . . Petitioner(s)

Versus

State of Haryana

. . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present : Mr.Ketan Antil, Advocate for the petitioner(s).

Mr. Parveen Kumar Aggarwal, Addl. A.G. Haryana

SANJAY VASHISTH, J. (Oral)

1. The instant petition has been filed under Section 483 of BNSS, 2023 (earlier Section 439 Cr.P.C.), for grant of regular bail to the petitioner, during the pendency of trial, who has been booked in a criminal case arising out of First Information Report, as detailed hereunder:-

Name of Petitioner(s)	FIR No.	Date	Section(s)	Police Station	District
Shailesh Yadav alias Raju, aged 30 years	92	01.11.2024	318(4), 336(3), 338, 340 and 61 of BNS, 2023	Cyber Sonipat	Sonipat, Haryana

2. Learned counsel for the petitioner submits that the FIR has been registered against the unknown persons. Petitioner has been involved in the case subsequently, on the basis of disclosure statement of the co-accused. As per allegations in the FIR, petitioner along with other co-accused have duped the complainant for a sum of Rs. 9,80,500/- and petitioner is inside jail since 07.11.2024.

3. Further submits that on conducting investigation, allegation now levelled by the prosecution against the petitioner is that to avoid his arrest,



petitioner used fake documents and changed his addresses in Aadhar Cards. Apart, one mobile phone used in the commission of offence, an amount of Rs. 5,500/- was recovered. There were total 52 pass books, 19 cheque books and 10 ATM cards also recovered from the possession of the petitioner.

However, continuing the submissions, counsel argues that other co-accused namely Vishal and Bheem Kumar (bail orders appended as Annexures P-2 and P-3, respectively), have already been released on bail. Another co-accused Chanchal Kumar has also been granted bail by this Court vide order dated 22.08.2025 passed in CRM-M-44574-2025 (Annexure P-4) and, therefore, petitioner claims parity with the said co-accused persons. Thus, counsel submits that the petitioner being inside jail w.e.f. 07.11.2024 (01 year, 03 months and 12 days) should not be detained inside jail for indefinite period and prays for grant of regular bail to the petitioner.

4. On the other hand, learned State counsel assisted by learned counsel for the respondent argued that considering the recoveries effected from the petitioner, he can not claim parity with already bailed out co-accused, namely; Vishal, Bheem Kumar and Chanchal Kumar (Annexures P-2, P-3 and P-4, respectively).

Learned State counsel further points out that in one of the case, petitioner has already been convicted and another case is pending trial. with any of the other accused, who have been granted bail namely, Vishal, Bheem Kumar and Chanchal Kumar. Thus, he prays for dismissal of the present bail petition.

5. Heard the rival submissions address by the respective counsel for the parties and gone through the allegations. Admittedly, all the offences are triable by the Court of learned Magistrate, and petitioner is inside jail for a period of 01 year,



03 months and 12 days. Recoveries of pass books, ATM cards and cheque books whatever has been effected from the possession of the petitioner, need to be established by the prosecution by establishing its connectivity with the use of some fake transactions from the bank. Undoubtedly, out of total 11 prosecution witnesses, only 06 prosecution witnesses have been examined so far and completion of process of recording of statements may still consume considerable time. Therefore, in the totality of facts and circumstances of the present case, I deem it appropriate to consider the plea of bail of the petitioner.

6. Accordingly, prayer made in the present petition is allowed. Petitioner is ordered to be released on bail, subject to his furnishing bail/surety bonds to the satisfaction of the learned trial Court/ Chief Judicial Magistrate/Illaq Magistrate/ Duty Magistrate concerned, if not required in any other case.

7. Any of the discussion done and recorded here-above, shall not be construed as an expression of opinion on the facts of the case. Therefore, trial Court is expected to decide the case by taking an independent view, on the basis of evidence available on record, as expeditiously as possible in accordance with law.

8. It is further made clear that if in future petitioner is found indulged in similar kind of activities, prosecution would be at liberty to seek cancellation of bail in the present case.

9. Petition stands disposed of.

Pending application(s), if any, shall stands disposed of accordingly.

(SANJAY VASHISTH)
JUDGE

April 29, 2026

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