

CRM-M-53324-2025

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-53324-2025
Decided on : 03.02.2026

Dinesh Yadav

. . . Petitioner(s)

Versus

State of Haryana

. . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present : Mr. Abhishek Pundir, Advocate
for the petitioner(s).

Mr. Pawan Kumar Jhanda, Sr. DAG 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
Dinesh Yadav	181	09.05.2024	302, 201 IPC	Rajendra Park	Gurugram

2. The present FIR came to be registered at the instance of complainant-
Anil Kumar and reads as under:

“ To the Incharge Police Post Dhankot, Gurugram Sir it is submitted that I Anil Kumar son of Devinder Sahani resident of village Maali Nagar Simri Police Station Chamaisi District Samastipur, Bihar at present tenant in the house of Surinder at Ram Vihar village Dhanavapur, Gurugram and my elder brother Indal Sahani was



residing at village Dhankot along with his wife and children. On 07.05.2024 at about 3:00 PM my sister-in-law (Bhabhi) Lalita Devi informed me telephonically that Indal Sahani is missing since 06.05.2024 and the dead body of one person has been found from Dhankot canal and kindly verify the fact that whether the dead body is of your brother Indal Sahani thereafter I along with my family member seen the dead body of my brother Indal Sahani at mortuary Gurugram and Identified him that the dead body found in Dhankot canal is of my brother Indal Sahani who is aged about 45 years and in this regard I verified at my own level that my brother Indal Sahani died due to drowning in the canal but despite that I want to get the post-mortem in order to find out the case of death and after post-mortem the dead body of my brother be handed over to me sd/- Anil.”

3. During the course of the investigation, the CCTV footage was obtained, as per which, co-accused-Sehdev Chadha was seen travelling in a Swift car bearing No. HR-26CX-3088 wherein the deceased was seated on the front seat.

4. Learned counsel for the petitioner contends that the case is based on circumstantial evidence and the petitioner has been falsely implicated in the present case. Even the CCTV footage relied upon by the prosecution is unclear, as the petitioner or even the co-accused could not be noticed travelling together, with clear visibility. Moreover, said accused Sehdev Chadha was noticed in the car alongwith the deceased Indal Sahani at 2.52 p.m. on 06.05.2024, whereas dead body was discovered on the next day after a gap of appropriately 24 hours. He further argues that the petitioner has been involved in the instant case primarily on the ground that he had several WhatsApp chats with his co-accused Sehdev Chadha, who has already been released on bail vide order dated 02.09.2025 passed in CRM-M-11534-2025 (Annexure P-3), the plea of bail of the petitioner is on better footing because, even as per CCTV footage, there is no such allegation that

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the petitioner was seen lastly in the company of deceased, as his co-accused Sehdev Chadha was noticed. The petitioner is in custody since 16.05.2024 and out of total 24 prosecution witnesses, only 07 have been examined so far, including all the material prosecution witnesses, therefore, culmination of trial will consume considerable time in future also. Thus, prays for grant of regular bail.

5. On the other hand, learned State counsel submits that the petitioner is involved in a serious case and ample evidence is available there on record. Recovery of mobile phone, car and rope has been effected at the instance of the basis of petitioner's disclosure statement and at this instance. However, he does not dispute that the petitioner has been in custody for the last more than 01 year and 08 months and also that the co-accused-Sehdev Chadha has already been released on bail vide order dated 02.09.2025 passed in CRM-M-11534-2025.

6. I have heard learned counsel for the parties and gone through the record.

7. The veracity of the allegations of prosecution case is yet to be determined by the trial Court after having complete set of evidence before it. Co-accused-Sehdev Chadha has already been released on bail by Coordinate Bench of this Court. Stage of trial is same, as out of total 24 prosecution witnesses, only 07 have been examined till date. Above all, reliance placed by the prosecution on the extra judicial confession has also weaken its case because, witnesses have not supported the case of prosecution, as recorded in the bail order of the co-accused Sehdev Chadha. Merely on the basis of WhatsApp calls, whether prosecution would be able to establish its charges or not is an issue, to be determined.

8. In the light of the facts and circumstances of the present case, as noticed here-above, and also keeping in view the observations made by this Court



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in the case of the similarly situated co-accused, this Court finds no justifiable ground to deny the concession of regular bail to the petitioners at this stage. The matter is still at the stage of trial, and the final determination of guilt or otherwise can be arrived at only after testing the prosecution evidence in accordance with law. Without expressing any opinion on the merits of the case, this Court is of the considered view that further incarceration of the petitioner would not serve any useful purpose.

9. Consequently, 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.

10. Needless to observe that the petitioner shall not extend any threat and shall not influence any prosecution witness in any manner directly or indirectly.

11. The observation made here-in-above shall not be construed as an expression of opinion on the facts of the case and the Trial Court is expected to decide the case on the basis of complete evidence available on record.

12. It is further made clear that if, in future, petitioner is directly found indulged in similar kind of activities, this order shall be deemed to be cancelled.

13. Petition stands **disposed of**.

Misc. application(s), if any, also stand disposed of.

(SANJAY VASHISTH)
JUDGE

February 03, 2026

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Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No