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IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M-186-2025
Date of decision:-19.05.2025

IMRAN KHAN
Versus
STATE OF HARYANA

... Petitioner
... Respondent

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY.

Present:- Mr. Sandeep Kumar, Advocate, for the petitioner.

 Mr. Vipul Sherwal, AAG, Haryana.

SANJIV BERRY, J.(ORAL)

The instant petition has been preferred by the petitioners under 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023, for grant of regular bail in the following case (Annexure P-1):-

FIR No.	Dated	Sections	Police Station
48	24.06.2024	120-B, 420, 467, 468, 471 IPC(201 of IPC added later on)	Cyber Sonipat, District Sonipat

2. Arguments heard.
3. It is *inter alia* contended by learned counsel for the petitioner that the petitioner is having no criminal antecedents and has been falsely implicated in this case. He contends that petitioner was not named in the FIR but has been nominated on the disclosure statement of co-accused Rakesh, with whom petitioner has no concern and is in custody since 23.07.2024. After completion of investigation challan has already been presented in Court, wherein prosecution has cited 7 witnesses and till date none of them have been examined. The conclusion of trial will take sufficient long time,



hence, prayed for grant of concession of regular bail to the petitioners.

4. *Per contra*, learned State counsel referring to the reply filed by the State, has opposed the bail petition by arguing that petitioner has actively participated in defrauding the complainant, hence do not deserve concession of bail. However, he has not disputed the factual matrix that after completion of investigation, challan has been presented in Court, wherein prosecution has cited 7 witnesses and till date none has been examined.

5. After considering the rival contentions and perusing the record, it is observed that instant FIR was registered, on the complaint of Vishal Bhardwaj to the effect that he received a friend request on his facebook account, who invited him to do FOREX Trading and introduced him to the multinational company namely Admiral Market Global Ltd. and the complainant was made to do FOREX Trading. He was lured to earn profit by depositing money. Complainant had invested about ₹34,50, 920/- in various accounts given by them and when the complainant tried to withdraw the same, the company refused and asked for payment of Tax and Bank charges. On knowing that they have cheated him through fake website, the present complaint was filed by the complainant.

6. It is evident from the record that petitioner is not having any criminal antecedents and has been nominated on the disclosure statement of co-accused Rakesh on the allegations that the account in the name of Chaitanya Traders is infact belonging to the petitioner. However, on query the Investigating Officer SI Sukhbir Singh, present in Court could not point out any document to connect the petitioner with the account in question, even no amount has been transferred in the account of the petitioner nor the registered mobile number or the e-mail ID given in the said account belongs



to the petitioner. The Registration Certificate (Annexure P-2) of the firm shows Chetanya Traders having Proprietor Chetanya Kumar, the name of the petitioner does not figure in the Registration of the firm Chetanya Traders. Admittedly, the petitioner was arrested on 23.07.2024, since then he is in custody, after completion of investigation, challan has already been presented in Court, wherein prosecution has cited 7 witnesses and till date none of them have been examined. The conclusion of trial to ascertain criminal liability, if any, of the petitioner will take sufficient long time, as, such, no purpose would be served by detaining the petitioner any longer in custody.

7. Resultantly, in these circumstances, without commenting on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on bail subject to furnishing bail bonds/surety bonds to the satisfaction of learned Trial Court concerned, if not required in any other case; undertaking to regularly appear on each and every date; not to leave the country without prior permission of the Court; and not to tamper with the evidence of the prosecution in any manner.

8. Any observation made above shall not be construed as opinion of this Court on the merits of the case.

9. Pending application(s) if any shall also stand disposed of.

(SANJIV BERRY)
JUDGE

19.05.2025

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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |