

**CRM-M-32525-2025****1****IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.****Sr. No.101****Case No. : CRM-M-32525-2025****Decided On : July 01, 2025**

Ashish Gaur

.... Petitioner

vs.

State of Haryana

.... Respondent

CORAM : HON'BLE MRS. JUSTICE SUKHVINDER KAUR.

* * *

Present : Mr. Naveen Bansal, Advocate,
Mr. Tushar Dixit, Advocate,
Ms. Nidhi Gour Dixit, Advocate and
Mr. Tribhuwan Kumar, Advocate
for the petitioner.

Mr. Arjun Lakhanpal, Addl. A. G., Haryana.

* * *

SUKHVINDER KAUR, J. :

Prayer in the present petition, filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, is for grant of anticipatory bail to the petitioner in FIR No.173 dated 30.05.2025, under Sections 112, 318(2), 3(6) of the Bharatiya Nyaya Sanhita (BNS), 2023 and Section 13-A of the Public Gambling Act, 1867, registered at Police Station Rewari City, District Rewari.

The facts, in brief, necessary for disposal of the instant petition, are that as per the prosecution version, on 29.05.2025, police got information through a secret informer that Raj Kumar, Pawan, Sandesh and Ashish Gaur (present petitioner) were putting money at stake (*satta*) on the IPL match between Royal Challengers and Punjab Kings and if raid was conducted at



the house of Raj Kumar, they could be apprehended arranging *satta*, along with their laptops and mobile phones as they were playing *satta* on every ball for 'fours' and 'sixers'. Believing the information to be true, raid was conducted and two persons were found watching match on their laptop and mobile. They disclosed their names as Sandesh and Raj Kumar and also disclosed to the police that their associates namely Pawan Kumar and Ashish Gaur were also putting money at stake, who had left the place little while ago. On search, Pawan was found at the roof of the house but the petitioner was not found. Accordingly, FIR in question was registered.

Learned counsel for the petitioner contended that the petitioner has been falsely implicated in the present FIR. He was not present at the spot on the date of alleged incident as he along with his family members had gone to Rishikesh on 29.05.2025 and had returned on 31.05.2025. The petitioner was also not the owner of the house where the raid was conducted. He has been involved in the present case only on the basis of disclosure statement suffered by co-accused Sandesh, which is not admissible in law. He has further urged that the other co-accused have been granted concession of regular bail and all the offences in the present case are triable by the Court of Magistrate. Learned counsel submitted that the petitioner is ready and willing to join investigation and is having no criminal antecedents, as such, he be granted concession of anticipatory bail.

Learned State counsel, on the other hand, has strongly opposed the present bail petition and has contended that the petitioner was actively involved in the commission of offence in the present case and for putting money at stake, physical presence of the petitioner was not required at the



spot. Two mobile phones recovered at the spot were belonging to the petitioner. It shows that he was actively involved in the commission of offence in the present case. He further submitted that custodial interrogation of the petitioner is required as the investigation in the present case is still going on. Therefore, the petitioner does not deserve concession of anticipatory bail.

Heard.

A perusal of the record shows that name of the petitioner had not just surfaced in the disclosure statement of co-accused and rather, he had also been named in the secret information given to the police. There are specific allegations against the petitioner that he and his co-accused were using their laptops and mobile phones during the IPL match, while misleading the people for betting on every ball for 'sixers' and 'fours'. During investigation, it transpired that the petitioner was the head of the group and was out for collecting money from people for betting. Out of 10 mobile phones recovered from the spot, two were found belonging to the petitioner, which were being used for commission of offence of betting. Even if the accused was not found present at the spot, it would not help the petitioner because his physical presence at the spot was not required for commission of offence in the present case and he could have easily put money at stake through mobile phone or any other online mode. So, in the facts and circumstances of the case, custodial interrogation of the petitioner is required for ascertaining about the betting money and if the same is denied to the investigating agency, then it will leave many gaps and loose ends in the investigation.



Accordingly, without commenting on the merits of the case, this Court is of the opinion that there is no merit in the present petition.

Dismissed.

However, nothing observed herein above shall be construed to be an expression of opinion on the merits of the case. The observations recorded above are only for the purpose of deciding the present bail petition.

July 01, 2025
monika

(SUKHVINDER KAUR)
JUDGE

<i>Whether speaking/reasoned ?</i>	<i>Yes/No.</i>
<i>Whether reportable ?</i>	<i>Yes/No.</i>