

2025:PHHC:091584



105

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

**CRM-M-39176-2025
DECIDED ON: 24.07.2025**

GAURAV SODHI

.....PETITIONER

VERSUS

STATE OF PUNJAB

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Mehul Khanna, Advocate
for the petitioner.

SANDEEP MOUDGIL, J (ORAL)

1. Prayer

The jurisdiction of this Court has been invoked under Section 482 BNSS, 2023 for grant of anticipatory bail to the petitioner in FIR No.209 dated 09.12.2020, registered under Section 420/120-B IPC at Police Station Shimlapuri, District Ludhiana.

2 Contention

On behalf of the petitioner

Learned counsel for the petitioner has argued that the ICICI account in question was fraudulently opened in his name and that the petitioner is himself a victim of misuse. It is further contended that bank officials may have played a role in the unauthorized operation of the account. He undertakes on behalf of the petitioner that he is ready and willing to join the investigation.

Notice of motion.

On behalf of the State/complainant

On the asking of Court, Mr. TPS Walia, AAG Punjab, accepts notice on behalf of respondent/State. He prays for dismissal of the present petition stating that the petitioner has committed online frauds and complainant has been cheated for lakhs of rupees and part of the said amount has been received in saving account owned by the petitioner.

3. **Analysis**

This Court is mindful of the gravity of cyber and financial frauds, particularly those perpetrated through online platforms affecting the public. However, at this stage, the petitioner's role appears to be limited merely to the receipt of funds in his bank account. *Prima facie*, it can be culled out that the identity of the petitioner may have been misused in the commission of the alleged offence, and it is also possible, as claimed on behalf of the petitioner, that he was unaware of the opening of the bank account in his name. Whether the petitioner was actively involved in the offence is a matter that requires thorough investigation and trial.

In the light of above, this Court is of the considered view that there is no valid or cogent reason to deny the bail to the present petitioner, wherein he has *bona fide* intentions and is ready and willing to join the investigation and cooperate for furtherance of the same so that the final report can be submitted by the Investigating Agency in time.

4. **Relief:-**

Hence, the petitioner is directed to be released on anticipatory bail subject to his joining investigation with the Investigating Officer concerned within a period of one week from today, on furnishing of personal/surety bonds to the

satisfaction of Arresting Officer/Investigating Officer. The petitioner shall also abide by the terms and conditions as envisaged under Section 482(2) of BNSS, which are reproduced below:-

‘When the High Court or the Court of Session makes a direction under sub-section (1), it may include such conditions in such directions in the light of the facts of the particular case, as it may think fit, including-

(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;

(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

(iii) a condition that the person shall not leave India without the previous permission of the Court;

(iv) such other condition as may be imposed under sub-section (3) of section 480, as if the bail were granted under that section.’

However, it is made clear that in case the petitioner does not comply with the aforesaid direction of joining the investigation within a period of one week, the order passed by this Court today shall automatically stands cancelled.

In the aforesaid terms, the present petition stands allowed.

(SANDEEP MOUDGIL)
JUDGE

24.07.2025

Meenu

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No