



IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

223 (two cases) CRM-M-49286-2024  
Date of Decision: 07.07.2025

(1) Ayush Arora ...Petitioner  
Versus  
State of Punjab ... Respondent

CRM-M-51471-2024 (O&M)

(2) Faraz Nadeem ...Petitioner  
Versus  
State of Punjab ... Respondent

CORAM : HON'BLE MR. JUSTICE N.S.SHEKHAWAT

Present : Mr. Arunjeet Singh Kakkar, Advocate  
for the petitioner in CRM-M-49286-2024.

Mr. Tejinderbir Singh, Advocate  
for the petitioner in CRM-M-51471-2024.

Mr. I.P.S. Sabharwal, DAG, Punjab.

Mr. Ankush Singla, Advocate  
for the complainant.

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N.S.SHEKHAWAT, J. (Oral)

CRM-18466-2025

For the reasons mentioned in the application, the same is  
allowed subject to just all exceptions.



**Main case**

1. This order shall dispose off two bail petitions, i.e., CRM-M-49286-2024 titled as **“Ayush Arora Vs. State of Punjab”** and CRM-M-51471-2024 titled as **“Faraz Nadeem Vs. State of Punjab”**, whereby, the petitioner(s) have applied for grant of regular bail under Section 483 of the BNSS in case FIR No.87 dated 08.06.2024 under Sections 420 of IPC & 74, 77 of Information Technology Act, 2000 & Sections 465, 467, 468, 471, 120-D & 201 IPC added later on registered at Police Station Canal Colony, District Bhatinda.

2. Learned counsel for the petitioner(s) vehemently argued that the FIR in the present case was registered on the basis of statement made by Dr. Kashish Gupta, who alleged that the accused wrongly made to believe that their company was registered with SEBI and shares of Rs.10,50,00,000/- had been allotted in his name in a company namely **“TBI CORN”** and asked him to transfer the amount in different bank accounts. He transferred a sum of Rs.5,93,60,000/- between 01.05.2024 to 06.06.2024 from his two bank accounts in the different accounts of the accused. Later on, on enquiry, he came to know that a fraud had been committed by the accused with him by creating a fake app and he had been cheated at the instance of an accused **‘Tom’**, who is allegedly based in Dubai/Cambodia. Learned counsel further submit that Ayush Arora was arrested in the presented



case on 22.06.2024, whereas Faraz Nadeem was arrested in the present case on 27.06.2024. After their arrest, the investigation was conducted and challan has been presented against them. Learned counsel further submit that out of 20 witnesses, only two witnesses have been examined and 03 witnesses have been given up. Thus, the trial is not likely to conclude in near future and their further custody will not serve any useful purpose. Even otherwise, all the offences are triable by the Court of Magistrate and the petitioner(s) are ready to face the trial.

3. On the other hand, learned State counsel assisted by learned counsel for the complainant have vehemently opposed the submissions made by learned counsel for the petitioner(s) on the ground that the petitioner(s) had cheated the complainant to the tune of Rs.5,93,60,000/-, which were transferred in various accounts provided by the accused in the present case. Learned counsel further contend that during the course of investigation, the police has found the involvement of several other accused and every endeavour is being made to arrest all the accused in the present case. After their arrest, a supplementary charge-sheet shall be presented against the remaining accused in the present case. However, learned counsel admits that the petitioner(s) are first offenders and are not involved in any other case.



4. I have heard the learned counsel for the parties and perused the record carefully.

5. In the present case, both the petitioner(s) are in custody for the last more than 01 year and all the offences are exclusively triable by the Court of Magistrate. In the present case, 20 witnesses were cited by the police in the challan, however, only 02 witnesses have been examined so far. Thus, the trial may not likely to conclude in near future and further custody of the petitioner(s) will not serve any useful purpose.

6. Without commenting on the merits of the case, the present petitions are allowed. The petitioner(s) are ordered to be released on bail pending trial on their furnishing bail bonds and surety to the satisfaction of the concerned trial Court/ Duty Magistrate/Chief Judicial Magistrate subject to the following conditions:-

*(i) The petitioner(s) 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 their to disclose such facts to the Court or to any other authority.*

*(ii) The petitioner(s) shall remain present before the Court on the dates fixed for hearing of the case.*

*(iii) The petitioner(s) shall not absent themselves from the Court proceedings except on the prior permission of the Court concerned.*

*(iv) The petitioner(s) shall surrender their passports, if any, (if already not surrendered), and in case they are*



*not holder of the same, they shall swear an affidavit to that effect.*

*(v) The petitioner(s) shall also file their affidavit before the concerned Court, mentioning his ordinary place of residence and number of mobile phone, which shall be used by them during the pendency of the trial. In case of change of place of residence/mobile number, they shall share the details with the concerned Court/learned Trial Court.*

*(vi) In case, the petitioner(s) are involved in any other criminal activity, during the pendency of the trial, it shall be viewed seriously.*

*(vii) The concerned Court may insist on two local sureties and may also impose any other condition, in accordance with law, while accepting the bails bonds and surety bonds of the petitioner(s).*

*(viii) The petitioner(s) shall not leave the country without prior permission of the trial Court.*

7. In case, the petitioner(s) violates any of the conditions mentioned above, it shall be viewed seriously and the concession of bail granted to them shall be liable to be cancelled and the prosecution shall be at liberty to move an application in this regard.

07.07.2025  
vipin

(N.S.SHEKHAWAT)  
JUDGE

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