



111+359 (3 cases)

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.58258 of 2024 (O&M)

Tushar GandhiPetitioner

versus

State of Punjab Respondent

CRM-M No.24235 of 2025

Sonu Rajoriya Petitioner

versus

State of Punjab Respondent

CRM-M No.21991 of 2025

Vinod Banjara Petitioner

versus

State of Punjab Respondent

Date of decision: 28.10.2025

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present :- Mr. Arun William, Advocate and
Mr Mahir Sood, Advocate
for the petitioner in CRM-M-58258-2024.

Mr. Brajesh Kumar Kaundal, Advocate
for the petitioner in CRM-M-24235-2025.

Mr. Brijesh Nandan, Advocate
for the petitioner in CRM-M-21991-2025.

Mr. J. S. Arora, DAG, Punjab.

Mr. Amit Kumar, Advocate for
Mr. Arshdeep Singh Sivia
for the complainant.



RAJESH BHARDWAJ, J. (Oral)

CRM-36594-2025

Allowed as prayed for. Documents, i.e. Annexures P-20 & P-21 are ordered to be taken on record.

Main cases

1. By this order, I dispose of the above mentioned three petitions arising out of the same FIR.
2. All the petitions have been filed praying for the grant of regular bail to the petitioners in case bearing FIR No.125, dated 11.09.2024, under Sections 308(5), 318(4), 61(2) of BNS, 2023, registered at Police Station Adampur, District Jalandhar, Punjab.
3. Succinctly the facts of the case are that FIR in the present case has been got registered on the statement of complainant, namely, Gurbachan Singh. It was alleged that his son, namely, Parminder Singh wanted to do BA, MBA and thus, he made a call to the Amity University in 2023. Tushar Gandhi (petitioner in CRM-M No.58258 of 2024) son of Manoj Gandhi, made a call that he was AGM Sales in Amity University and he could get him admitted in the University. Thereafter, son of the complainant got the admission in the Amity University and he started online courses and appeared for the examinations as well. It was further alleged that son of the complainant was told by Tushar Gandhi (petitioner in CRM-M No.58258 of 2024) that Vinay Banjara, Sushant, Surinder, Renu Devi were in the finance team of Amity University and thus, was asked to deposit an amount of Rs.1,73,00,000/- for getting the admission in the course and the same was paid in different bank accounts on



different dates, thereafter, his son changed his mind and opted not to continue with the course. Son of the complainant, namely, Parminder Singh asked Tushar Gandhi (petitioner in CRM-M No.58258 of 2024) to refund the fee deposited by him, however Tushar Gandhi started threatening him and demanded Rs.5 Lakhs. He threatened him by making whatsapp calls as well. Thus, the request was made to take legal action against the accused. On registration of the FIR, the investigation commenced. During the investigation, complicity of the petitioner, namely, Sonu Rajoriya (in CRM-M No.24235 of 2025) and petitioner, namely, Vinod Banjara (in CRM-M No.21991 of 2025) has been surfaced and thus, both were also arrayed as an accused in the present case. Resultantly, the petitioners were arrested on 11.09.2024 and 23.11.2024. All the petitioners approached the Court of learned Sessions Judge, Jalandhar praying for the grant of bail, however after hearing both the sides and finding no merit in the same, the learned Sessions Judge, Jalandhar declined all the bail applications filed by the petitioners vide orders dated 05.11.2024, 24.02.2025 and 19.03.2025, respectively. Hence being aggrieved, the petitioners are before this Court by way of filing the present petitions praying for the grant of regular bail.

4. Learned counsel for the petitioners have vehemently contended that the petitioners have been falsely implicated in the present case. They have submitted that from the allegations made in the FIR, it is apparent that son of the complainant wanted to take admission in the Amity University and after paying the requisite amount, he got the admission and appeared for the first Semester examinations as well. They



have submitted that the petitioners have been implicated in the present case on the basis of presumptions and assumptions. They have submitted that the petitioner, namely, Tushar Gandhi (in CRM-M No.58258 of 2024) was only a counsellor, so far petitioners, namely, Sonu Rajoriya and Vinod Banjara (in CRM-M No.21235 of 2025 & CRM-M-21991-2025) are concerned, they have no nexus with Amity University. They have submitted that as per the investigation conducted, the amount on various dates has been deposited in the account of Dora Malachi International Pvt. Ltd. and the same would show that nothing has been paid in the account of the petitioners. They have submitted that the petitioners are not even beneficiary of the amount paid as alleged by the complainant. They have submitted that the petitioners have no criminal antecedents and they are behind bars from last more than 01 year, however there is no progress in the trial and thus, incarceration of the petitioners is being prolonged. To buttress their arguments, learned counsel for the petitioners have submitted that the complainant has been examined before the learned trial Court and he has deposed that he is already in process of compromise with the company, i.e. Dora Malachi International Pvt. Ltd. and an amount of Rs.18,75,000/- has also been refunded by the said company, in whose account the money has been deposited. They have submitted that in the facts and circumstances, the petitioners deserve to be granted bail.

5. Learned counsel for the complainant however has vehemently opposed the submissions made by learned counsels for the petitioners. He has submitted that son of the complainant had got the admission in the Amity University through the petitioner, namely, Tushar



Gandhi (in CRM-M-58258-2024). He has submitted that the amount of Rs.1,73,00,000/- was paid by the complainant in the account given by the petitioners. He has thus submitted that the petitioners were hand in gloves with the company and thus, they have cheated the complainant. He has submitted that though the talks of compromise with the company was for an amount of Rs.75,00,000/-, however only Rs.18,75,000/- has been refunded so far. He has submitted that no case for the grant of regular bail to the petitioners is made out and thus, the present petitions deserve to be dismissed.

6. *Per contra*, learned counsel for the State however has vehemently opposed the submissions made by counsel for the petitioners. He has drawn the attention of this Court to the status report filed. He has submitted that the petitioner, namely, Tushar Gandhi (in CRM-M-58258-2024) was the employee of the company and complicity of rest of the petitioners, namely, Sonu Rajoriya and Vinod Banjara (in CRM-M No.21235 of 2025 & CRM-M-21991-2025) was surfaced during the investigation. He, on instructions, has submitted that out of 17 prosecution witnesses, only 01 witness, i.e. the complainant has been examined so far. He has produced custody certificate of the petitioners today in the Court, which are taken on record.

7. The Court has heard learned counsel for the parties and perused the record with their able assistance.

8. As per the case of the prosecution, the allegations are regarding the amount paid by the complainant for seeking admission of his son in the Amity University. As deciphered from the record, this



amount has been transferred in the account of company, i.e. Dora Malachi International Pvt. Ltd. Though there are allegations against the petitioners that admission was sought in the Amity University through the petitioners but the money has not been transferred in their account and it is in the account of the company, i.e. Dora Malachi International Pvt. Ltd. The complainant has been examined and he has deposed that talks of compromise were going on with the company and not with the petitioners. Out of 75 Lakhs amount agreed, as per the compromise, Rs.18.75 Lakhs has been refunded. Son of the complainant, after seeking admission, appeared for the first semester examination and thereafter he had decided to leave the course. Custody certificates produced would show that petitioner, namely, Tushar Gandhi (in CRM-M-58258-2024) has suffered incarceration of 01 year, 01 month and 08 days and petitioner, namely, Vinod Banjara (in CRM-M-21991-2025) has suffered incarceration of 11 months as on 27/28.10.2025. It further reflects that the petitioners, namely, Tushar Gandhi and Vinod Banjara are not involved in any other case. As submitted before this Court by learned counsel for the petitioner, petitioner, namely, Sonu Rajoriya (in CRM-M-24235-2025) has also suffered incarceration of about 11 months. He has further submitted that as the petitioner is involved in one more case, however he has been acquitted in that case. Only 01 witness has been examined, out of total 17 prosecution witnesses.

9. The veracity of the allegations would be assessed only after the conclusion of the trial and on the appreciation of evidence to be led by both the parties before the trial Court.

10. This Court would refrain itself from commenting anything on the merits of the case. Keeping in view the arguments raised by both the sides and perusing the record, the Court is of the opinion that learned counsel for the petitioners succeed in making out a case for the grant of bail. Accordingly, all the petitions are allowed and the petitioners, namely, Tushar Gandhi, Sonu Rajoriya and Vinod Banjara are ordered to be released on bail on their furnishing bail/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate. Nothing said herein shall be treated as an expression of opinion on the merits of the case.

28.10.2025

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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

(RAJESH BHARDWAJ)

JUDGE