



CRM-M-57739-2025

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

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CRM-M-57739-2025 (O & M)
Date of decision: 10.12.2025

GOURAV KUMAR

....Petitioner

Versus

STATE OF HARYANA

...Respondent

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. A.K.Khunger, Advocate, for the petitioner.

Mr. Gautam Kaile, DAG, Haryana.

AMAN CHAUDHARY, J. (ORAL)

1. Prayer in the present petition filed under Section 483 of BNSS is for grant of regular bail to the petitioner in case FIR No.18 dated 22.03.2025, registered at Police Station Cyber Crime, Sonapat, Distt. Sonapat, under Sections 318(4), 336(3), 338, 340 and 61 BNS.

2. Learned counsel contends that the petitioner, a 21-year-old boy, has been in custody for 5 months and 1 day. He alleges false implication. The allegation against him is of having received a message, as per which he was doing the job, for which he was paid Rs.10,000/- as remuneration and is otherwise, not connected with the other accused insofar as any online share trading scam is concerned. Challan has been presented on 10.09.2025, however, charges are yet to be framed and there are, in all, 5 PWs. He is not involved in any other case.

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3. The custody certificate dated 9.12.2025, filed by the learned State counsel is taken on record. As per the same, the petitioner is behind bars for 5 months and 1 day.

4. Learned State counsel opposes the bail on the ground that the petitioner had lent his bank account for the purpose of online trading by the co-accused, who are yet to be arrested. However, he is unable to controvert the submissions with regard to stage of the case and the petitioner being not involved in any other case.

5. Heard.

6. Considering the facts and circumstances of the case, in particular that the petitioner is in custody for the last 5 months and 1 day; not involved in any other case; challan stands presented on 10.09.2025, but charges have not been framed and there are total 5 PWs; the trial is likely to take a considerable time, further incarceration of the petitioner would be violative of his right enshrined under Article 21 of the Constitution of India, the present petition is allowed.

7. The petitioner is ordered to be released on regular bail, subject to furnishing bail/surety bonds to the satisfaction of trial Court/Duty Magistrate concerned, if not required in any other case and shall abide by the following conditions:-

- (i) The petitioner will not tamper with the evidence during the trial.
- (ii) The petitioner will not pressurize/ intimidate the prosecution witnesses.

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- (iii) The petitioner will appear before the trial Court on each and every date fixed, unless is exempted by a specific order of Court.
- (iv) The petitioner shall not commit an offence similar to the offence of which, he is an accused, or for commission of which he is suspected of.
- (v) The petitioner shall not directly or indirectly coerce, induce, threaten or promise to any person acquainted with the facts of the case so as to dissuade him/ her from disclosing such facts to the Court or to any police officer or tamper with the evidence in any manner.
- (vi) The petitioner shall not in any manner misuse his liberty.
- (vii) The petitioner shall furnish his address and mobile number by way of an affidavit to the trial Court and not change the same till conclusion of trial and if for any reasons, he seeks to change either of the aforesaid, it shall be done only with prior information to the learned trial Court.
- (viii) The petitioner shall not leave the country without prior permission of the trial Court.
- (ix) The trial Court/Duty Magistrate may impose any other condition, as deemed appropriate while releasing the petitioner.

8. It is made abundantly clear that in case there is any breach of the aforesaid conditions, the State shall be at liberty to seek cancellation of bail as granted to the petitioner by this order.

9. In view of the above, it is clarified that the observations made herein above are limited for the purpose of present proceedings and would not be construed as any opinion on the merits of the case and the trial would proceed independently of the aforesaid observations.

10.12.2025

parveen kumar

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

(AMAN CHAUDHARY)
JUDGE