

CRM-M-62232-2025

2025:PHHC:162742



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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-62232-2025

Vishal Sahni

....Petitioner

Versus

State of Haryana

....Respondent

Date of decision: November 21, 2025
Date of Uploading: November 21, 2025

CORAM: HON’BLE MR. JUSTICE SUMEET GOEL

Present:- Ms. Ankita Ahuja, Advocate,
Mr. Aditya Mishra, Advocate,
Mr. Rohitoz Singh, Advocate,
Ms. Manisha Jaiswal, Advocate and
Mr. Aadarsh Tripathi, Advocate for the petitioner.

Mr. Gurmeet Singh, AAG Haryana.

SUMEET GOEL, J. (ORAL)

Present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short ‘BNSS’) for grant of regular bail to the petitioner in case bearing FIR No.63 dated 20.09.2025, registered for the offences punishable under Sections 318(4), 319(2), 61(2) & 3(5) of the Bharatiya Nyaya Sanhita, 2023 (for short ‘BNS’), Section 66-C, 66-D & 75 of the Information Technology Act, 2000 (for short ‘IT Act’) and Section 42(3) of the Telecommunication Act, 2023 (for short ‘Act of 2023’), at Cyber Crime Police Station, Kurukshetra.

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2. The gravamen of the FIR in question is that ASI Isham Singh (No.23) reported that on 19.09.2025, while he was present at the police station, he received secret information that an illegal call centre was being operated on the first floor above Baker's Lounge, located on Ladwa-Indri Road near the Central Bank of India, Ladwa. It was disclosed that the call centre was involved in cheating individuals in India and abroad, and that a timely raid could lead to the arrest of the culprits. A raiding party was constituted, and during the raid, 11 boys were found engaged in cheating foreign nationals using Eye-Beam and Zoiper software. Rohit Malhotra and others present at the spot were unable to produce any licence or documentation authorizing the operation of the call centre. They informed the police that the 11 boys worked there and that the owner of the call centre was Nikhil, a resident of Delhi, who had taken the premises on rent. Acting on Nikhil's instructions, they contacted people and obtained their personal and banking details by falsely claiming that drugs had been found in parcels addressed to them, and this information was used to commit cyber fraud. The call centre was being operated under the direction and control of Nikhil, resident of Delhi.

3. Learned counsel for the petitioner has iterated that the petitioner is in custody since 20.09.2025. Learned counsel has iterated that the petitioner has been falsely implicated into the FIR in question. Learned counsel has further argued that, assuming *arguendo*, the prosecution version is taken to be correct, the role attributed to the petitioner is that he was working in a call centre at Delhi, which was owned by one Rimpay Gandhi. Learned counsel has further iterated that the call centre alleged to have been fraudulently running at Kurukshetra was owned by one Nikhil Sapra.

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Learned counsel has further argued that the petitioner was merely working in the call centre at Delhi and thus, cannot be fastened with liability for entire chain of offence. Learned counsel has urged that the petitioner is a man aged 26 years with clean antecedents. Thus, regular bail is prayed for.

4. Learned State counsel has opposed the present petition by arguing that the allegations raised against the petitioner are serious in nature, and thus, the petitioner does not deserve the concession of the regular bail. Learned State counsel seeks to place on record the custody certificate dated 19.11.2025, in the Court today, which is taken on record.

5. I have heard counsel for the rival parties and have gone through the available records of the case.

6. The petitioner was arrested on 20.09.2025, whereinafter, the investigation was carried out and the challan has been presented on 18.11.2025. Total 23 prosecution witnesses have been cited and culmination of the trial will, indubitably, take long time. The rival contentions raised at Bar given rise to debatable issues, which shall be ratiocinated upon during the course of trial. This Court does not deem it appropriate to delve deep into these rival contentions, at this stage, *lest* it may prejudice the trial. Nothing tangible has been brought forward to indicate the likelihood of the petitioner absconding from the process of justice or interfering with the prosecution evidence.

6.1. As per custody certificate dated 19.11.2025 filed by learned State counsel, the petitioner has already suffered incarceration for a period of 01 month & 29 days, & is not shown to be involved in any other FIR(s).

Suffice to say, further detention of the petitioner as undertrial is not warranted in the factual milieu of the case.

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7. In view of above, the present petition is allowed. Petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the Ld. concerned CJM/Duty Magistrate. However, in addition to conditions that may be imposed by the concerned CJM/Duty Magistrate, the petitioner shall remain bound by the following conditions:

- (i) The petitioner shall not mis-use the liberty granted.
- (ii) The petitioner shall not tamper with any evidence, oral or documentary, during the trial.
- (iii) The petitioner shall not absent himself on any date before the trial.
- (iv) The petitioner shall not commit any offence while on bail.
- (v) The petitioner shall deposit his passport(s), if any, with the trial Court.
- (vi) The petitioner shall give his cellphone number(s) to the Investigating Officer/SHO of concerned Police Station and shall not change his cell-phone number(s) without prior permission of the trial Court/Illaqa Magistrate.
- (vii) The petitioner shall not in any manner try to delay the trial.

8. In case of breach of any of the aforesaid conditions and those which may be imposed by concerned CJM/Duty Magistrate as directed hereinabove or upon showing any other sufficient cause, the State/complainant shall be at liberty to move cancellation of bail of the petitioner.

9. Ordered accordingly.

10. Nothing said hereinabove shall be construed as an expression of opinion on the merits of the case.

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11. Since the main case has been decided, pending miscellaneous application, if any, shall also stands disposed off.

(SUMEET GOEL)
JUDGE

November 21, 2025
mahavir

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