



CRM-M-70976-2025 (O&M) 1

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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CRM-M-70976-2025 (O&M)
Date of decision: 23.12.2025

Vipin Kumar

....Petitioner

Versus

Union Territory of Chandigarh

...Respondent

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CRM-M-71407-2025 (O&M)

Akash Kumar

....Petitioner

Versus

Union Territory of Chandigarh

...Respondent

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CRM-M-71493-2025 (O&M)

Abhijeet Tiwari

....Petitioner

Versus

Union Territory of Chandigarh

...Respondent

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Ms. Simran Atwal, Advocate,
for the petitioner (in CRM-M-70976-2025).

Mr. Mandeep Singh, Advocate,
for the petitioner (in CRM-M-71407-2025).

Mr. Rahul Vohra, Advocate,
for the petitioner (in CRM-M-71493-2025).

Mr. Viren Sibal, APP, for the respondent-UT Chandigarh.

AMAN CHAUDHARY, J. (ORAL)

1. Prayer in these petitions filed under Section 483 BNSS is for grant of



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regular bail to the petitioners in case FIR No.86 dated 21.07.2025, registered under Sections 308(2), 319(2), 318(4), 336(3), 338, 340(2) and 61(2) of Bharatiya Nyaya Sanhita, 2023 with Section 66D of the Information Technology Act and Sections 42(1), 42(3)(E) of the Telecommunication Act, 2023 added later on at Police Station Cyber Crime, Sector 17, District Chandigarh.

2. Learned counsel contends that the petitioners - Vipin Kumar and Akash Kumar have been in custody for 4 months and 22 days, while petitioner - Abhijeet Tiwari has been in custody for 3 months and 11 days. They allege false implication in the present case. Similarly circumstanced co-accused Mohd. Sohail Akhtar Ansari, who had also allegedly purchased a sim-card from the said accused, as is the allegation against the petitioners Akash Kumar and Vipin Kumar, while the petitioner - Abhijeet Tiwari was the person who had sold them. Co-accused Mohd. Sohail Akhtar Ansari has been granted bail by this Court vide order dated 10.12.2025. Charges have been framed on 14.11.2025, however out of 18 PWs, none has been examined. They are not involved in any other case.

3. The custody certificate dated 22.12.2025, filed by the learned State counsel is taken on record. As per the same, petitioners - Vipin Kumar and Akash Kumar are behind bars for 4 months and 22 days, while petitioner -Abhijeet Tiwari is behind bars for 3 months and 11 days.

4. Learned State counsel opposes the bail on the ground that there are specific allegations against the petitioners Vipin Kumar and Akash Kumar of having purchased sim-card and against co-accused Abhijeet Tiwari to have sold. However, he is unable to controvert the submissions with regard to stage of the trial, co-accused enlarged on bail and the petitioners not being involved in any other case.



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5. Heard.

6. Considering the facts and circumstances of the case, in particular that the petitioners Vipin Kumar and Akash Kumar are in custody for 4 months and 22 days and the petitioner Abhijeet Tiwari is in custody for 3 months and 11 days; co-accused is on bail; not involved in any other case; charges have been framed on 14.11.2025; in all 18 prosecution witnesses, but none has been examined as of now, the trial is likely to take a considerable time, further incarceration of the petitioners would be violative of his right enshrined under Article 21 of the Constitution of India, these petitions are allowed.

7. The petitioners are 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 petitioners will not tamper with the evidence during the trial.
- (ii) The petitioners will not pressurize/ intimidate the prosecution witnesses.
- (iii) The petitioners will appear before the trial Court on each and every date fixed, unless are exempted by a specific order of Court.
- (iv) The petitioners shall not commit an offence similar to the offence of which, they are accused, or for commission of which they are suspected of.
- (v) The petitioners 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 petitioners shall not in any manner misuse their liberty.
- (vii) The petitioners shall furnish their addresses and mobile numbers by way of their respective affidavits to the trial Court and not change the same till conclusion of trial and if for any reasons, they seek to change either of the aforesaid, it shall be done only with prior information to the learned trial Court.



- (viii) The petitioners 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 petitioners.

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 petitioners 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. A photocopy of this order be placed on the file(s) of the other connected case (s).

(AMAN CHAUDHARY)
JUDGE

23.12.2025

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