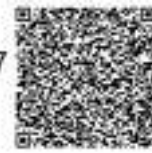


**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

2026.PHHC.044347



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CRM-M-12856-2026 (O&M)

Date of decision: 20.03.2026

Date of uploading: 20.03.2026

Nitish Gudwani

...Petitioner

VERSUS

State of Haryana

..Respondent

CORAM : HON'BLE MR. JUSTICE SUMEET GOEL

Present :- Mr. Keshav Pratap Singh &
Mr. Abhishek Kharb, Advocate for the petitioner(s).

Mr. Gurmeet Singh, AAG, Haryana.

SUMEET GOEL, J. (Oral)

The instant petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail to the petitioner in case bearing FIR No.10 dated 11.08.2025 under Sections 318(4), 319 of BNS, 2023 (Sections 238(b), 336(3), 338, 340 & 61(2) BNS were added later on) (Sections 420, 419, 467, 468, 471, 120-B of IPC) registered at Police Station: Cyber Crime, Panchkula.

2. The FIR of this case came into being at the instance of “Dhruv Gupta”, hereinafter being referred to as “complainant” only. It was stated by the complainant that on 20.06.2025 he had received a message on Facebook messenger from the id named ‘Anchal Rao @ Ammu’ and when he responded to the above-mentioned message, the lady on the other side introduced herself as a Fashion Designer and

thereafter she started chatting with the complainant on WhatsApp and during above mentioned conversation she prompted the complainant to invest in cryptocurrency. As per complainant, he was allured by the lucrative offer of high return and thus, he invested ₹6,50,000/- but later on he found that his account on the platform, which was told to him by the above said caller, had been frozen and thus, he was duped of the above mentioned money.

3. Learned counsel appearing for the petitioner has submitted that the petitioner is in custody since 26.12.2025. Learned counsel appearing for the petitioner has further submitted the petitioner has been falsely implicated into the FIR in question. Learned counsel appearing for the petitioner has further submitted that there is no direct/tangible evidence available against the petitioner, so as to affix him with the culpability. Learned counsel has further argued that a somewhat similarly placed co-accused namely Yashbir Singh Sandhu has been granted the concession of regular bail by his Court vide order dated 13.02.2026 passed in CRM-M-7096-2026 (Annexure P-2). Thus, regular bail is prayed for.

4. Learned State counsel has opposed the grant of bail to the petitioner by arguing that the allegations raised are serious in nature and, thus, the petitioner does not deserve the concession of regular bail. Learned State counsel seeks to place on record custody certificate dated 16.03.2026 in Court, which is taken on record.

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

6. The petitioner was arrested on 26.12.2025 and investigation qua the petitioner is still going on, but challan stands filed against co-accused. It is not in dispute that the conclusion of trial will take long time. The rival contentions of the learned counsel for the parties; as to the whether the petitioner has been falsely implicated into the FIR, shall be gone into 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 rights of either of the parties. Nothing tangible has been brought forward to indicate the likelihood of the petitioner absconding from the process of justice or interfering with the remaining prosecution evidence.

7. As per the custody certificate dated 16.03.2026 filed by the learned State counsel, the petitioner has suffered incarceration for a period of 2 months & 20 days and is not shown to be involved in any other FIR/case.

Suffice to say, the further detention of the petitioner in custody is not required in the facts and circumstances of the case.

8. In view of above, the petition in hand is allowed. The petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the learned 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, if any, with the trial Court.
- (vi) The petitioner shall give his cell phone number to the Investigating Officer/SHO of concerned Police Station and shall not change his cell-phone number without prior permission of the trial Court/Illaq Magistrate.
- (vii) The petitioner shall not in any manner try to delay the trial.

9. 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.

10. Ordered accordingly.

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

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

20.03.2026

Naveen

(SUMEET GOEL)
JUDGE

Whether speaking/reasoned :

Yes/No

Whether Reportable :

Yes/No