



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

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**CRM-M No.14682 of 2026
Date of decision : 1.4.2026
Date of uploading : 1.4.2026**

Jayant Malhotra

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present: Mr. Gautam Dutt, Senior Advocate with
Mr. Jasmeet S. Kang, Advocate, for the petitioner

Mr. Gurmeet Singh, AAG, Haryana

SUMEET GOEL, J. (ORAL)

1. 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) and 319 of Bharatiya Nyaya Sanhita, 2023 (Sections 238(b), 336(3), 338, 340 & 61 of BNS added later on), registered at Police Station Cyber Crime, District 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 crypto currency. As per complainant, he was allured by the lucrative offer of high return and thus, he invested ₹33,16,700/- in total, 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 4.10.2025. 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 Umesh Garg @ Arjun Garg has been granted the concession of regular bail by his Court vide order dated 17.02.2026 (Annexure P-3). Thus, regular bail is prayed for.

4. Learned State counsel has filed reply by way of affidavit of Dr. Mayank Gupta, Superintendent of Police, Cyber, Panchkula has been filed in Court today. The same is taken on record. Raising submissions in tandem with the said reply, 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 31.3.2026 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 4.10.2025 and upon culmination of investigation challan was presented on 11.11.2025. Total 11 prosecution witnesses have been cited and it is the conceded position before this Court that none of the prosecution witnesses has been examined till date. 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.

6.1 As per custody certificate dated 31.3.2026 filed by learned State counsel, the petitioner has already suffered incarceration for a period of 5 months and 22 days. As per the said custody certificate, the petitioner is stated to be involved in 2 more cases/FIRs. Indubitably, the antecedents of a person are required to be accounted for while considering a regular bail petition preferred by him. However, this factum cannot be a ground sufficient by itself, to decline the concession of regular bail to the petitioner in the FIR in question when a case is made out for grant of



regular bail *qua* the FIR in question by ratiocinating upon the facts/circumstances of the said FIR. Reliance in this regard can be placed upon the judgment of the Hon'ble Supreme Court in *Maulana Mohd. Amir Rashadi v. State of U.P. and another, 2012 (1) RCR (Criminal) 586*; a Division Bench judgment of the Hon'ble Calcutta High Court in case of *Sridhar Das v. State, 1998 (2) RCR (Criminal) 477* & judgments of this Court in *CRM-M No.38822-2022* titled as *Akhilesh Singh v. State of Haryana*, decided on 29.11.2021, and *Balraj v. State of Haryana, 1998 (3) RCR (Criminal) 191*.

Suffice to say, further detention of the petitioner as an undertrial is not warranted in the facts and circumstances of the case.

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, 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/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.

(SUMEET GOEL)
JUDGE

1.4.2026
Ashwani

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