

CRM-M-15245-2026

2026:PHHC:089691



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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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Md. Irfan Ansari alias Mohd. Irfan Ansari

....Petitioner

versus

State of Haryana

...Respondent

Date of decision: July 03, 2026

Date of Uploading: July 03, 2026

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present:- Ms. Sonal Singh Godara, Advocate for the petitioner
(presence marked through video-conferencing).

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.312/2025 dated 28.08.2025, registered for the offences punishable under Sections 318(4), 319, 338, 336(3), 340(2), 61(2) of BNS, 2023 and 66D of Information Technology Act, 2000, at Police Station Cyber West, District Gurugram.

2. The gravamen of the FIR in question is that the complainant filed a complaint dated 28.08.2025, stating that M/s Home Credit India Finance Pvt. Ltd. is a well-known non-banking financial company, duly incorporated under the Companies Act, having its office at Seva Tower,

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Plot Nos.18 & 19, Sector 18, Gurugram. The company is engaged in providing loans to customers for the purchase of consumer durables through tie-ups with various retail stores.

It was further alleged that certain employees of the complainant company had unlawfully leaked the confidential data of its customers to fraudsters. Thereafter, unidentified individuals or a group of persons, by impersonating representatives of the complainant company, contacted the customers and induced them into carrying out fraudulent financial transactions, thereby causing loss to the customers as well as damage to the reputation of the complainant company. The complainant also furnished certain mobile phone numbers and bank account details allegedly used by the fraudsters in the commission of the offences and requested the authorities to initiate appropriate legal action against the unidentified persons under the relevant provisions of law for offences relating to impersonation, forgery, cheating, and other allied offences.

3. Learned counsel for the petitioner has argued that the petitioner is in custody since 30.08.2025. Learned counsel has submitted that the petitioner has been falsely implicated into the FIR in question. Learned counsel has iterated that prime allegation made by the complainant/company is that of 'data theft'. Learned counsel has further submitted that similarly situated co-accused, namely, Md. Kasif has been extended the concession of regular bail by this Court, vide order dated 01.04.2026 passed in **CRM-M-7305-2026** and the said order has not been assailed till date before the Hon'ble Supreme Court. It is further submitted that after culmination of investigation, challan stands presented and charges are yet to be framed. Learned counsel has iterated that the petitioner is

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young man aged 21 years with clean antecedents. Thus, regular bail is prayed for.

4. Learned State counsel has filed status report by way of an affidavit dated 26.05.2026, which is already on record. Raising submissions in tandem with the said status report, learned State counsel has opposed the present petition by arguing that the petitioner is an ex-employee of the complainant-company and he was instrumental in providing key information for commission of offence. It is further submitted that in case, he is released on bail, there is all the likelihood that the petitioner would flee from process of justice and would also interfere with the prosecution evidence. Thus, the petitioner does not deserve the concession of the regular bail. Learned State counsel also seeks to file custody certificate dated 01.07.2026, in the Court today, 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 30.08.2025, whereinafter investigation was carried out and challan has been presented on 17.11.2025. Total 06 prosecution witnesses have been cited, and it is not in dispute that none has been examined till date. The rival contention raised at Bar give rise to debatable issues which shall essentially 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.

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6.1. As per custody certificate dated 01.07.2026 filed by learned State counsel, the petitioner has already suffered incarceration for a period of 10 months and 03 days, & is not shown to be involved in any other FIR(s).

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, if not required in any other case, 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 cellphone 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.

The petitioner, in addition to the above conditions, shall be required to furnish an FDR in the name of Court releasing him on bail or cash amount to the tune of Rs.50,000/-, as a condition precedent to his release on bail.

8. In case of breach of any of the aforesaid conditions and those which may be imposed by concerned CJM/Duty Magistrate as directed

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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.

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

(SUMEET GOEL)
JUDGE

July 03, 2026
mahavir

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No