2026:PHHC:089431

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

116+213

CRM-M-15900-2026 (O&M)
Decided on : 02.07.2026

Gaurav Seth . . . Petitioner(s)

Versus

State of Haryana . . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. Rahul Sidher, Advocate and
Mr. Sunny, Advocate, for the petitioner(s).

Mr. Kanwar Sanjiv Kumar, AAG, Haryana.

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SANJAY VASHISTH, J. (Oral)

CRM-17370-2026

I. This is an application filed under Section 528 of BNSS, 2023, for seeking rectification of inadvertent error in the bail petition.

II. In view of the averments made in the application, prayer made herein is allowed. Accordingly, main petition is ordered to be treated as second bail petition, as the earlier one was dismissed as withdrawn vide order dated 26.02.2026, passed in CRM-M-6488-2026 (Annexure A-1).

III. CRM stands disposed of.

CRM-24386-2026

I. This is an application filed under Section 528 of BNSS, 2023, for seeking pre-ponement of the date of hearing in the main case, i.e., CRM-M-15900-2026, from 02.07.2026, to an early date.

II. Since the main petition is already taken up for hearing today itself, no orders are required to be passed in the instant application. Accordingly, **instant application stands disposed of as infructuous**.

CRM-M-15900-2026

1. The instant second petition has been filed under Section 483 of BNSS, 2023 (earlier Section 439 Cr.P.C.), for grant of regular bail to the petitioner, during the pendency of trial, who has been booked in a criminal case arising out of First Information Report, as detailed here-under:-

Name of Petitioner(s)	FIR No.	Date	Section(s)	Police Station	District
Gaurav Seth	292	15.08.2025	S. 318(4), 61(2) of BNS, 2023 (earlier S. 420, 120-B of IPC)	Cyber Crime	Gurugram

2. In regard to the cyber fraud committed by the accused persons of an amount of Rs.66,60,355/-, complainant – Archna Gulati got lodged FIR in question, which reads as under:-

> *" I, Archana Gulati, wife of Kapil Gulati, resident of B-740, Sushantlok Phase. I am a resident of Gurugram and on 26.07.2025 I received a call on WhatsApp from phone no. 8294489081 that I am Sanika Gokle from Angel Vanguard 1200% growth plan company and after telling this she started explaining to me about the investment and told me about different plans and after talking for some time she told me that first you should join our WhatsApp group and you will get information about many of our plans there, after that she sent me two URLs on WhatsApp, one URL in the name of WhatsApp [https://chat.whatsapp.com/EE198987zg5AdojyarbryG] URL to join the group and this manager [https://chat.whatsapp.com/Kyc2r6ejCUwJ3ixwau De Dim] after that I joined that WhatsApp group and then I observed in the group for 3 to 4 days that. How is the investment happening and people's money is starting to double, then I got a call from him again that I have confirmed your membership with our company, you will have to invest in it, after that he sent me another URL. [https://play.google.com/store/apps/details?idcom.angelvanguardpp t.angelvanguard] after that it got installed in my phone with the name Angel Vanguard and told me how to register and after that he called me*

and told me to invest you will get good profit and then he sent me accounts on whatsapp on which I entered my bank DCB bank account number 0612429031975 ifse code DCH1.0000062. The details of the transaction are as follows:-

Money Sent to:

Date Money Sent On Account Name: Account No./RTGS No. Amount

30.07.2025 Vansh Emerprises

A/C No. 5360200000623 IFSC-BARBOSHRINA,

UTR NO.-521111958456.49909

31.07.2025 Vansh Enterprises

A/C No. 5360200000623 IFSC BARBOSHRINA,

UTR NO/TXN ID 521113981651 150000

01.08.2025 Vansh Entermises

A/C No. 5360200000623 IFSC-BARBOSHRINA, UTR NO/TXN ID RTGS

NO DCBL0801500001116023,1000000 02.08.2025 Neotech Private Ltd.

RTGS N. 202508025000116023 (KOTAK MAHINDRA BANK ACCOUNT

NO 8550145165, IFSC KKBK0004605, 1500000

08.08.2025 Sai Baba Agency

RTGS N. DCBI 202508025000145265 HDFC BANK 50200109662140 HDFC BANK (IFSC HDFC0006808), 1500000

17.08.2025 Kulswamini Caterers

RTGS N. DCBL202508125000154052

ACCOUNT NO. 04600200001433 BANK ACCOUNT BARBOAURANG 2460355

I transferred all these Txn from my account to these accounts, then when I tried to withdraw my money, they started talking about sending more money, on which I told someone and heard that this is how cyber fraud happens, so I have given my complaint to you, sir, I used to get calls in the name of the Manager of this company and he called to me through Whatsapp from 9173429540, 9355705260, 9601494067. Please register an FIR for the cyber fraud that has been committed against me.

Archana Gulati

9899684827, 9873167616"

3. Learned counsel for petitioner contends that as per allegations, petitioner played an active role in facilitating company, namely, NEOTECKER PRIVATE LIMITED, in opening its account with Kotak Mahindra Bank.

Further argues that petitioner has been falsely implicated in case in hand, as except disclosure statement of co-accused Nizam Khan, no other evidence/material has been collected during investigation. Petitioner has no concern either with said Company or with process of opening bank account, which otherwise also could conveniently be got opened by Company Directors or Company Management, as per their choice, anywhere in country with any Bank.

4. Learned counsel further submits that petitioner is inside jail for more than 10 months and 07 days and offences are triable by Court of learned Magistrate. Thus, keeping in view facts and circumstances of case, petitioner deserves concession of regular bail.

5. On the other hand, learned State counsel has filed custody certificate dated 01.07.2026 in Court today, which is taken on record. Office is directed to tag the same at appropriate place.

A copy thereof has been handed over to learned counsel for petitioner.

6. Learned State counsel, while opposing prayer for bail, submits that it is a case of huge cyber fraud involving an amount of Rs.66,60,355/-, whereby company, in its name, started a WhatsApp group and allured general public to deposit/invest money on assurance of multiplying same

within a short span of time.

Further submits that petitioner is involved in many other criminal cases, details whereof have already been mentioned in custody certificate filed today in Court. Thus, keeping in view nature of allegations and antecedents of petitioner, learned State counsel prays for dismissal of instant regular bail petition.

7. I have considered submissions addressed by respective learned counsel for parties and perused relevant material available on case file.

8. From disclosure statement of co-accused, role attributed to petitioner is that after opening current bank account with Kotak Mahindra Bank, i.e., A/c No. 8550145165, account kit was handed over to petitioner – Gaurav Seth, who thereafter handed over same to other co-accused, namely, Rohit and Pammi, after receiving an amount of Rs.75,000/- in cash from accused Pammi. Out of said amount, a sum of Rs.15,000/- was given to accused Nizam Khan and another sum of Rs.15,000/- was given to accused Mansoor.

Despite repeated queries put by this Court, learned counsel for parties were expected to explain as to how Bank could have issued account kit to petitioner Gaurav Seth, when he had no direct connection on record with Company as its authorized representative, nor said bank account stood in his name. However, no satisfactory answer has been received at this stage.

9. Considering aforesaid parameters, it appears that allegations are yet to be proved beyond reasonable doubt by prosecution by leading cogent and substantive evidence during trial. Till then, in such like offences, which admittedly are triable by Court of learned Magistrate, merely on basis of

such like allegations, personal liberty of petitioner should not be curtailed any longer.

Therefore, without commenting upon merits of case, and keeping in view settled principles governing grant of bail, this Court deems it appropriate to extend concession of regular bail to petitioner.

Consequently, prayer made in the present petition is **allowed**. Petitioner is ordered to be released on bail, subject to his furnishing bail/surety bonds to the satisfaction of the learned trial Court/ Chief Judicial Magistrate/Illaqa Magistrate/ Duty Magistrate concerned, if not required in any other case.

10. Needless to observe that the petitioner shall not extend any threat and shall not influence any prosecution witness in any manner directly or indirectly.

11. The observation made here-in-above shall not be construed as an expression of opinion on the facts of the case and the Trial Court is expected to decide the case on the basis of complete evidence available on record.

12. Petition stands **disposed of**.

Pending misc. application(s), if any, also stand(s) disposed of.

(SANJAY VASHISTH)
JUDGE

July 02, 2026
J.Ram

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No