

216 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

2026-PHHC-074029



CRM-M-21090-2026 (O&M)

Date of Decision: 12.05.2026

TANU ALIAS ISHANT

... PETITIONER

VERSUS

STATE OF HARYANA

... RESPONDENT

CORAM : HON'BLE MR. JUSTICE H.S.GREWAL

Present:- Mr. Vaibhav Parashar, Advocate for the petitioner.

Dr. Malvika Singh, D.A.G., Haryana.

H.S. GREWAL, J. (ORAL)

1. The petitioner is seeking regular bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita (BNSS) (Section 439 Cr.P.C.) in FIR No. 02 dated 02.01.2026 registered under Sections 318(4), 61(2) of BNS (earlier Sections 420, 120-B IPC) and Sections 3, 4 of the Haryana Prevention of Public Gambling Act, 2025 and Section 42(3) of the Telecommunication Act, 2023 at Police Station Cyber Crime, Kurukshetra.

2. The case of the prosecution is that on 01.01.2026, PSI Ved Parkash received secret information that the petitioner along with co-accused persons was involved in illegal online gambling and operating fake websites to cheat the public by inducing them through WhatsApp and Telegram to invest money, initially giving small returns and later causing wrongful loss. A raiding team was constituted and during the raid at the disclosed premises, the petitioner was found present and two laptops, fourteen mobile phones and cash amounting to ₹71,450/- were recovered. It was found that online betting on cricket matches was being conducted without any licence.

3. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in the present case. There is no public complainant regarding any embezzlement and some of the offences are triable by Magistrate and the maximum sentence under Section 3 of the Haryana Prevention of Public Gambling Act, 2025 is one year. He further submits that the petitioner is in custody for the last 04 months and 06 days and is not involved in any other case. He, thus, prays for grant of bail to the petitioner.

4. Learned State counsel has vehemently opposed the prayer for grant of regular bail to the petitioner on the ground of gravity of allegations. She has filed the custody certificate in Court, which is taken on record. She further submits that as per the custody certificate, the petitioner is in custody for the last 04 months and 06 days.

5. I have heard the learned counsel for the parties and perused the record.

6. After hearing the rival contentions of the learned counsel for the parties and keeping in view the facts and circumstances of the case that there is no public complainant regarding any embezzlement; the petitioner is in custody for the last 04 months and 06 days; he is not involved in any other case; challan has been presented and charges have already been framed; the conclusion of trial is likely to take time and continuous detention of the petitioner would not serve the ends of justice, this Court deems it fit to grant the concession of regular bail to the petitioner during the pendency of the trial. Moreover, '*bail is rule and jail is exception*'.

7. Therefore, without expressing any opinion on the merits of the case, the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing requisite bail bonds, surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate concerned.

8. It is clarified that while on bail so granted through the instant order

the petitioner is found indulging in any other criminal case, it shall be open to the State to seek cancellation of his bail.

12.05.2026

Janki

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

(H.S.GREWAL)
JUDGE