

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-35477-2025 (O&M)
Date of Decision: 10.03.2026

VINOD KUMAR ...Petitioner

Versus

STATE OF HARYANA ...Respondent

CORAM: HON’BLE MR. JUSTICE SANJAY VASHISTH

Present : Mr. Ajit Sihag, Advocate
for the petitioner.

Mr. Kanwar Sanjiv Kumar, A.A.G., Haryana.

Mr. Deepak Choudhary, Advocate
for the complainant.

SANJAY VASHISTH, J. (ORAL)

1. Prayer in this petition, filed under Section 482 of the BNSS, 2023 (earlier Section 438 Cr.P.C.), is for grant of anticipatory bail to the petitioner, who has been booked in a criminal case arising out of FIR No.222 dated 12.06.2025, under Sections 316(2), 318(4), 61 of the BNS, 2023, at PS Sadar Fatehabad, District Fatehabad.

2. On 09.07.2025, following order was passed :-

“1. Prayer in this petition, filed under Section 482 of the BNSS, 2023 (earlier Section 438 Cr.P.C.), is for grant of anticipatory bail to the petitioner, who has been booked in a criminal case arising out of First Information Report, as detailed hereunder:-

<i>Name & age of Petitioner (s)</i>	<i>FIR No.</i>	<i>Date</i>	<i>Section(s)</i>	<i>Police Station</i>	<i>District</i>
<i>Vinod Kumar, aged about 44 years</i>	<i>222</i>	<i>12.06.2025</i>	<i>316(2), 318(4), 61 of the BNS, 2023</i>	<i>Sadar Fatehabad</i>	<i>Fatehabad</i>

2. On oral request made by counsel for the petitioner, complainant namely Surjeet Singh, s/o Dalipat Singh, resident of Dhani, Issar, Sadar Fatehabad, is ordered to be impleaded as respondent No.2 in the present petition.

Let amended memo of parties be placed on record by counsel for the petitioner, in the Registry within a period of two days from today, without moving any separate application.

3. Learned counsel for the petitioner, inter alia, contends that the entire alleged investment of approximately Rs. 40–45 lacs was made voluntarily by the complainant. It is an admitted position that the complainant continued to invest over a span of nearly one and a half years. It is only after incurring losses that a concocted version of events was prepared, leading to the registration of the FIR in the month of June, 2025. The primary allegation against the petitioner and his co-accused, namely Sumit Kumar, is that they allegedly allured the complainant into playing an online game, with the promise that the invested amount could be recovered along with substantial profits. However, it was solely the complainant's own prudence and decision to participate in the game and continue investing for such a prolonged period.

4. Stretching the arguments further, learned counsel for the petitioner submits that even if the allegations are taken at face value, petitioner has derived a benefit of only Rs.95,000/-, which he is willing to return to the complainant. Therefore, no element of criminality can be attributed to the petitioner in connection with the online gaming activity. It is not even alleged that petitioner or his co-accused personally received the total invested amount of Rs.40–45 lakhs into their own accounts. Rather, it appears that the said sum may have been received by some third party through the online gaming application. Thus, in the absence of any criminal intent or unlawful enrichment, counsel for the petitioner prays that

petitioner be protected from arrest and undertakes that he is willing to join and cooperate fully with the investigation. Thus, prays for grant of concession of anticipatory bail to the petitioner in the present case.

5. *Notice of motion.*

6. *On advance notice, Mr. Kanwar Sanjiv Kumar, AAG, Haryana, puts in appearance on behalf of the respondent – State, and seeks some time to file status report in the matter.*

7. *Adjourned to 08.10.2025.*

8. *In the meanwhile, the petitioner is directed to join the investigation as and when required to do so by the Investigating Agency. In the event of his arrest, the petitioner shall be released on ad-interim bail, subject to his furnishing bail bonds to the satisfaction of the Arresting Officer. The petitioner shall also be abide by all the conditions laid down under Section 482(2) of BNSS, 2023 (earlier Section 438(2) Cr.P.C.).*

9. *Besides, it is directed that petitioner would hand over his passport to the Investigating Agency or to Court concerned, if he possesses. Otherwise, would submit an affidavit, disclosing the fact that he does not possess any passport.*

It is also directed that before leaving country any time during trial, petitioner would seek prior permission of the Court. ”

3. Learned counsel for the petitioner contends that in compliance to the order dated 09.07.2025 passed by this Court, the petitioner has joined the investigation.

4. Learned State counsel on instructions from SI Inder Singh, P.S. EDW, Fatehabad, confirms the said averment made by counsel for the petitioner of joining the investigation by the petitioner, and submits that as of

now, custodial interrogation of the petitioner is not required for the purpose of investigation.

5. Heard learned counsel for the parties.

6. Since, petitioner has already joined the investigation and custodial interrogation is no more required; ad-interim bail order dated 09.07.2025 passed by this Court is hereby made absolute. Accordingly, present petition is allowed.

7. The petitioner shall continue to join the investigation as and when required to do so and abide by all the terms and conditions laid down under Section 482(2) of BNSS, 2023.

8. However, present order would be subject to the submission of his passport to the Investigating Agency or to Court concerned, if he possesses, within a period of one week from today. Otherwise, he/she would submit an affidavit, disclosing the fact that he does not possess any passport.

9. It is clarified that in case, aforesaid condition is not complied with, this order would be considered as *non est* automatically.

March 10, 2026
gurpreet

(SANJAY VASHISTH)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No