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

Sr. No.126

CRM-M-58834-2025 (O&M)

Date of Decision: 05.03.2026

GAUTAM TALWAR

...Petitioner

Versus

STATE OF HARYANA

....Respondent

CORAM: HON'BLE MS. JUSTICE MANDEEP PANNUPresent:- Mr. D.S. Matya, Advocate
for the petitioner.

Ms. Jasmine Gill, AAG, Haryana.

MANDEEP PANNU, J. (Oral)

1. This is the first petition under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail to the petitioner in a case arising out of FIR No. 205 dated 29.07.2024, registered under Sections 420, 467, 468, 471, 120-B IPC and Section 66-D of the Information Technology Act, 2000, at Police Station Cyber West, District Gurugram.
2. Brief facts of the case are that the complainant Amit Kumar submitted an application to the police stating that on 11.01.2024 he received a message on WhatsApp wherein he was asked to complete certain online tasks in lieu of monetary benefits. The complainant was sent a link and was added to a Telegram group where he was assigned tasks and was assured of profit. Initially, he was given some tasks and was also shown certain profits to gain his confidence. Thereafter, he was asked to deposit money in a bank account for completing further tasks and accordingly he deposited an amount of ₹55,800/-. However, when he demanded the return of his money



and the promised profit, he was again asked to deposit more money, whereupon he realized that he had been cheated and a fraud had been committed against him.

3. During investigation, the bank details of the beneficiary account were obtained and it was found that the said bank account was in the name of Khanna Tour and Travels and was being operated in the name of Ashu Khanna. On further inquiry, it came to light that the photograph affixed on the Aadhaar Card as well as the account opening form of the bank belonged to the present petitioner Gautam Talwar. The petitioner was subsequently traced and arrested on 03.09.2024. During investigation, Sections 467, 468 and 471 IPC were also added in the case. On the basis of the disclosure statement of the petitioner, another accused namely Shagun Dubey was found to be a co-conspirator and he was arrested on 14.09.2024. Further, WhatsApp chats were recovered during investigation and Section 66-D of the Information Technology Act was also added in the present case.

4. Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case and has no connection with the alleged offence. It is submitted that the FIR was initially registered against unknown persons under Section 420 IPC and subsequently other offences were added during investigation. It is argued that there is no material on record to show that the petitioner was directly involved in the alleged fraud and that the petitioner has been nominated without any cogent evidence linking him with the commission of the offence. Learned counsel further submits that the investigating agency has relied upon the Aadhaar Card and bank account opening form to implicate the petitioner, however the



same does not conclusively establish his involvement in the alleged offence.

5. It is further contended that as per the prosecution version itself, the main accused is one Maddy who allegedly conspired to cheat and defraud the complainant and other persons. It is also submitted that the co-accused namely Shagun Dubey, who stands on parity with the present petitioner, has already been granted the concession of regular bail by the learned Additional Sessions Judge, Gurugram vide order dated 10.12.2024. Learned counsel also submits that the petitioner had earlier approached the learned Sessions Court for grant of regular bail but the said application was dismissed vide order dated 18.08.2025. It is further argued that the final report under Section 173 Cr.P.C. has already been presented before the trial Court and charges have also been framed. It is submitted that during the course of trial, prosecution witnesses have been summoned repeatedly but the complainant Amit Kumar has failed to appear before the trial Court despite issuance of non-bailable warrants and other coercive steps. It is thus contended that the trial is likely to take considerable time for its conclusion. Learned counsel further submits that the petitioner undertakes to abide by all the conditions imposed by this Court and shall not misuse the concession of bail, if granted. It is also submitted that though three other FIRs are stated to be pending against the petitioner, the same would not disentitle him from seeking the concession of regular bail in the present case.

6. Learned State counsel has opposed the prayer for grant of regular bail to the petitioner and submitted that serious allegations of cheating and forgery have been levelled against him. It is contended that during the course of investigation the petitioner was traced and arrested on



03.09.2024 and during interrogation he suffered a disclosure statement admitting his involvement in the commission of the present crime. It is further submitted that the petitioner had prepared forged Aadhaar Card and PAN Card in the name of Ashu Khanna and using the said forged documents he got issued IEC (Importer Exporter Code) certificate and Udyam Registration certificate in the name of Khanna Tour and Travels Company and thereafter opened a bank account in RBL Bank for receiving the proceeds of crime. It is also submitted that forged Aadhaar Card, PAN Card, mobile phone and other incriminating material have been recovered at the instance of the petitioner.

7. Learned State counsel further submits that the investigation has revealed the involvement of the petitioner in other similar criminal cases and if released on bail, he may hamper the investigation and may also influence other accused persons. It is also pointed out that the petitioner is in custody for the last one year, five months and twenty five days, therefore, the present petition deserves to be dismissed.

8. I have heard learned counsel for the parties and have gone through the material available on record. In the present case, the role attributed to the petitioner is that he allegedly prepared forged Aadhaar Card and PAN Card in the name of Ashu Khanna and used the said documents for opening a bank account through which the alleged proceeds of crime were received. It is not disputed that the offences alleged against the petitioner are triable by the learned Magistrate. It is also a matter of record that the co-accused Shagun Dubey has already been granted the concession of regular bail by the learned Additional Sessions Judge, Gurugram. The petitioner has

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remained in custody for the last one year, five months and twenty five days and the trial of the case is likely to take considerable time for its conclusion. Keeping in view the custody period of the petitioner, the nature of allegations and the fact that the co-accused has already been granted bail, this Court is of the considered view that further incarceration of the petitioner would serve no useful purpose.

9. Consequently, the present petition is allowed and the petitioner is ordered to be released on regular bail, subject to furnishing adequate bail bonds and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate concerned.

10. However, anything stated hereinabove shall not be construed as an expression of opinion on the merits of the case.

11. All pending applications, if any, also stand disposed of.

(MANDEEP PANNU)
JUDGE

05.03.2026

Anu

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