



CRM-M-71502-2025

-1-

(129)

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

CRM-M-71502-2025

Date of Decision: 19.03.2026

**ROHIT GUPTA****... Petitioner****Versus****STATE OF HARYANA****...Respondent****CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI**Present: Mr. Naveen Kaushik, Advocate  
for the petitioner.

Mr. T.P. Singh, Sr. DAG, Haryana.

\*\*\*\*

**JASJIT SINGH BEDI, J.**

The prayer in the present petition under Section 483 BNSS, 2023 is for the grant of regular bail in case bearing FIR No.0214 dated 04.08.2023 registered under Sections 420/409/120B IPC at Police Station Udyog Vihar, Gurugram, District Gurugram.

2. As per the prosecution case, the petitioner was the distributor of Micromax mobile phones. He received an amount of Rs.58,65,101/- from various dealers for supply of the phones. However, the said phones were not supplied to the said dealers despite payments having been made.

3. The learned counsel for the petitioner contends that the allegations against the petitioner are baseless. The main accused is one Jayavardhan Gupta who is yet to be arrested. As the petitioner is in custody since 21.08.2025 but none of the 18 prosecution witnesses has been examined so far, he is entitled to the concession of bail.



CRM-M-71502-2025

-2-

4. On the other hand, the learned State counsel contends that the petitioner is the proprietor of M/s SVM Enterprises. The allegations against him are grave. Therefore, he is not entitled to the concession of bail. He, however, concedes that the petitioner is in custody since 21.08.2025 but none of the 18 prosecution witnesses has been examined so far.

5. I have heard the learned counsel for the parties.

6. This Court in the case titled as ***Maninder Sharma Vs. State Tax Officer, State, Mobile Wing, Jalandhar, Punjab bearing CRM-M24033-2021(O&M) Decided on 31.08.2022*** has held as under:-

*“Therefore, broadly speaking (subject to any statutory restrictions contained in Special Acts) , in economic offences involving the IPC or Special Acts or cases triable by Magistrates once the investigation is complete, final report/complaint filed and the triple test is satisfied then denial of bail must be the exception rather than the rule. However, this would not prevent the Court from granting bail even prior to the completion of investigation if the facts so warrant.”*

7. In the instant case, admittedly, the petitioner is in custody since 21.08.2025 but none of the 18 prosecution witnesses has been examined so far. Therefore, the trial of the present case is not likely to be concluded anytime soon. There are no serious apprehensions expressed by the State that the petitioner would abscond from justice, tamper with the evidence or influence witnesses if granted the concession of bail. Therefore, in this situation, the further incarceration of the petitioner is not required.

8. Thus without commenting on the merits of the case, the present petition is allowed and the petitioner-Rohit Gupta S/o Shri Ram Karan Gupta

**CRM-M-71502-2025****-3-**

is ordered to be released on bail on his furnishing bail bonds and surety bonds to the satisfaction of learned CJM/Duty Magistrate, concerned.

9. The petitioner shall appear before the police station concerned on the first Monday of every month till the conclusion of the trial and inform in writing each time that he is not involved in any other crime other than the present case.

10. The petitioner (or anyone on his behalf) shall prepare an FDR in the sum of Rs.50,000/- and deposit the same with the Trial Court. The same would be liable to be forfeited as per law in case of the absence of the petitioner from trial without sufficient cause

11. The petition stands disposed of.

**(JASJIT SINGH BEDI)**  
**JUDGE**

**19.03.2026**

JITESH

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