



CRM-M-72556-2025 and
CRM-M-72622-2025

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

207(2 cases)

Date of decision: 09.01.2026

CRM-M-72556-2025

KRISHAN SHAH

....Petitioner

Versus

UT CHANDIGARH

...Respondent

CRM-M-72622-2025

VIJAY KUMAR SHAH

....Petitioner

Versus

UT CHANDIGARH

...Respondent

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. Vishal Satija, Advocate,
for the petitioners in both the cases.

Mr. Viren Sibal, APP, U.T. Chandigarh.

AMAN CHAUDHARY, J. (ORAL)

1. Prayer in the present petitions filed under Section 483 BNSS is for grant of regular bail to the petitioners in case FIR No.86 dated 21.07.2025, registered under Sections 308(2), 319(2), 318(4), 336(3), 338, 340(2) and 61(2) of BNS, Section 66-D of the Information Technology Act and Sections 42(1), 42(3)(E) of the Telecommunication Act, 2023 (added later on) at Police Station Cyber Crime, District U.T. Chandigarh.

2. Learned counsel contends that the petitioners, 19 and 22 years old, have been in custody for the last 5 months and 13 days. They

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allege false implication. In fact, their IDs were misused to purchase SIM Cards. Co-accused, namely, Abhijeet Tiwari, Akash Kumar, Vipin Kumar and Mohd. Sohali Akhtar Ansari and Saroj Kumar have since been granted bail. Charges have been framed on 14.11.2025, however, 3 out of 18 PWs have been examined. The petitioners are not involved in any other case.

3. The custody certificates dated 08.01.2026, filed by learned State counsel are taken on record. As per the same, the petitioners are behind bars for 5 months and 13 days.

4. Learned APP opposes the bail on the ground that there are specific allegations against the petitioners of being a part of gang of fraudsters. However, he is unable to controvert the submissions with regard to the stage of trial, co-accused having been enlarged on bail and the petitioners being not involved in any other case.

5. Considering the facts and circumstances of the case, in particular that the petitioners are in custody for the last 5 months and 13 days; not involved in any other case; co-accused are on bail; charges stand framed on 14.11.2025, however, out of 18 PWs, 3 have been examined; the trial is likely to take a considerable time and further incarceration of the petitioners would be violative of their right enshrined under Article 21 of the Constitution of India, the present petitions are allowed.

6. The petitioners are ordered to be released on regular bail, subject to furnishing bail/surety bonds to the satisfaction of trial

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Court/Duty Magistrate concerned, if not required in any other case and shall abide by the following conditions:-

- (i) The petitioners will not tamper with the evidence during the trial.
- (ii) The petitioners will not pressurize/ intimidate the prosecution witnesses.
- (iii) The petitioners will appear before the trial Court on each and every date fixed, unless are exempted by a specific order of Court.
- (iv) The petitioners shall not commit an offence similar to the offence of which, they are accused, or for commission of which they are suspected of.
- (v) The petitioners shall not directly or indirectly coerce, induce, threaten or promise to any person acquainted with the facts of the case so as to dissuade him/ her from disclosing such facts to the Court or to any police officer or tamper with the evidence in any manner.
- (vi) The petitioners shall not in any manner misuse his liberty.
- (vii) The petitioners shall furnish their addresses and mobile numbers by way of affidavits to the trial Court and not change the same till conclusion of trial and if for any reasons, they seek to change either of the aforesaid, it shall be done only with prior information to the learned trial Court.
- (viii) The petitioners shall not leave the country without prior permission of the trial Court.
- (ix) The trial Court/Duty Magistrate may impose any other condition, as deemed appropriate while releasing the petitioners.

7. It is made abundantly clear that in case there is any breach of the aforesaid conditions, the State shall be at liberty to seek cancellation of bail as granted to the petitioners by this order.

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8. In view of the above, it is clarified that the observations made herein above are limited for the purpose of present proceedings and would not be construed as any opinion on the merits of the case and the trial would proceed independently of the aforesaid observations.

9. Photocopy of this order be placed on the connected file(s).

09.01.2026
parveen kumar

(AMAN CHAUDHARY)
JUDGE

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