



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

**240**

**CRM-M-53343-2025(O&M)  
Date of Decision: September 25, 2025**

Anshul Yadav

...Petitioner

Versus

State of Haryana and another

...Respondents

**CORAM: HON'BLE MS. JUSTICE RUPINDERJIT CHAHAL**

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Present: - Mr.Sachin Kaushik, Advocate  
for the petitioner.

Mr.Mohit Chaudhary, AAG, Haryana.

Mr.Mudit Johar, Advocate  
for the complainant – respondent No.2.

**RUPINDERJIT CHAHAL, J.**

1. Prayer in the instant petition filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 is for grant of regular bail to the petitioner in case FIR No.81 dated 01.03.2025 registered under Sections 318(4) and 61(2) [added lateron] of Bharatiya Nyaya Sanhita, 2023 and Section 66d of the Information Technology Act, 2008 [added lateron], at Police Station Cyber Crime East, District Gurugram.
2. Brief facts of the prosecution case are that the FIR was lodged on the statement of Samidha Chandna - complainant/respondent No.2, who



alleged that an online fraud was committed by a company named Quantum-Capital Tech. Between 14.12.2024 to 24.02.2025, she invested more than Rs.84 lacs in the said Company, as it was assured that by making these deposits, she would become prime member, receive monthly bonus and get better trading opportunities in cryptocurrency, metals, etc. However, on an attempt to withdraw her amount, additional demand of Rs.9 lacs was made, it was then, when she realised the scam and reported the matter.

3. Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case and he has no concern with the said offence. He contends that the petitioner was not named in the FIR and he received only Rs.3,66,410/- in his account on the asking of co-accused Shailender Saini. It is submitted that the petitioner never communicated with the complainant. Further, taking the Court to document Annexure P-5, learned counsel submits that complainant has given her affidavit to the effect that she has resolved all the disputes with the accused persons and a compromise has been arrived at between them. The petitioner is behind bars since 25.03.2025. The investigation in the case is complete, challan stands presented and charges are yet to be framed. Moreover, the petitioner has clean antecedents as he is not involved in any other case. He further submitted that co-accused Shailender Saini has already been granted the concession of regular bail by the Trial Court vide order dated 17.04.2025. The trial will take a long time to conclude and no useful purpose would be served by keeping him behind bars. Therefore, it is urged



that the petition deserves to be allowed.

4. Notice of motion.

5. Learned State counsel, who has appeared on advance notice of the petition, has filed the custody certificate of the petitioner, which is taken on record. He has vehemently opposed the prayer for bail by submitting that the offence committed by the petitioner is serious in nature. He further submitted that he is not aware about compromise if any between the parties. However, he has not controverted the fact that petitioner is first time offender as he is not involved in any other case.

6. Learned counsel for the complainant – respondent No.2 has appeared today in court and filed Vakalatnama, which is taken on record. He does not dispute the factum of compromise and supports the prayer for bail.

7. Having heard learned counsel for the parties at length and after perusing the record of the case, it is evident that the petitioner is in custody for the last six months, investigation is complete; challan stands presented, and the fact that trial may take a long time to conclude, no useful purpose would be served by detaining him in further custody, especially when a compromise has been effected between the parties. Keeping the petitioner in further detention without the prospect of the trial being concluded in the near future would be violative of his rights under Article 21 of the Constitution of India.

8. Reliance is placed upon in *Dataram Singh vs. State of Uttar*



*Pradesh & Anr. 2018(2) R.C.R. (Criminal) 131*, wherein, Hon’ble Apex Court has held that keeping somebody behind the bars, till his guilt is proved, for an indefinite period amounts to infringement of his right to life and liberty, as enshrined under Article 21 of Constitution of India and is against the principle “*bail is a rule*” and “*jail is an exception*”.

9. In view of the above, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of the learned trial Court/Duty Magistrate/CJM concerned. It is clarified that nothing stated herein shall be construed as an expression of opinion on the merits of the case.

**September 25, 2025**

**( RUPINDERJIT CHAHAL )  
JUDGE**

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Whether Speaking / Reasoned	Yes / No
Whether Reportable	Yes / No