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

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**CRM-M-45255-2025 (O&M)
Date of decision: 29.08.2025**

Vikas Bishnoi and another

...Petitioners

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present:- Mr. Mayank Aggarwal, Advocate
for the petitioners.

Mr. Apoorv Garg, Addl. A.G., Haryana.

MANISHA BATRA, J. (Oral)

1. Prayer in this petition, filed under Section 528 of the Bhartiya Nagarik Suraksha Sanhita, 2023, is for quashing of order dated 21.07.2025 (Annexure P-6), passed by the Court of learned Judicial Magistrate First Class, Gurugram in case titled as *State of Haryana vs. Vikas Bishnoi and another*, arising out of FIR No. 249 dated 05.09.2023, registered under Sections 419, 420, 465, 467, 468, 471 and 120-B of IPC at Police Station Sector 14, Gurugram, whereby an application filed by the petitioners seeking direction to Superintendent, District Jail, Bhondsi to take them in police custody to nearest Branch of Axis Bank for completing the KYC of their bank account and for signing other necessary documents, has been dismissed, and also for quashing of order dated 12.08.2025 (Annexure P-9), whereby the revision petition, filed by the petitioners against the aforesaid order of the learned trial Court, has also been dismissed.

2. Learned counsel for the petitioners has argued that the impugned

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orders are not sustainable in the eyes of law as while passing the same, the learned Courts below did not appreciate the fact that the petitioners are Director and authorized signatory of M/s Gopal Hitech Infra Developers Private Limited, which is having its bank account in Axis Bank at Pitampura, Dehi. The petitioners are in judicial custody and confined in District Jail, Bhondsi in connection with aforesaid FIR. The petitioners are in need to visit the nearest branch of Axis Bank for completing the KYC with regard to company's account and for signing the request letter for seeking extension of bank guarantee and authorization charges etc. The application moved by them had been dismissed by the learned trial Court while observing that there was no exigency to allow them to visit the bank. The learned revisional Court also did not appreciate the facts of the case in its true perspective. It is, therefore, argued that in case the petitioners are not permitted to visit the bank as prayed by them, a great prejudice shall be caused to them. Hence, it is urged that the petition deserves to be allowed and the impugned orders are liable to be set aside.

3. *Per contra*, learned State counsel has vehemently argued that there is no need for the petitioners to visit the aforesaid bank as the aforesaid firm is registered in the name of one Ashok Gupta and Hemlata Gupta and petitioner No. 1. Petitioner No. 2 in fact has no say in the said company. More so, the said account is already lying frozen and the balance of the same is in negative. In view thereof, no KYC or any other formalities whatsoever are required to be done by the petitioners regarding that account. Hence, it is urged that the petition is liable to be dismissed.

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4. I have heard learned counsel for the parties at considerable length and have also gone through the record carefully.

5. The petitioners have been booked in the aforesaid case as accused and are in custody. After going through the material placed on record, it is revealed that petitioner No. 1 is the authorized signatory and petitioner No. 2 is the director of the said firm. There is no dispute that for maintaining a bank account, KYC formalities are to be done from time to time. So far as the other works to be done by them at the bank are concerned, the same seems to be necessary for business of the petitioners. Even otherwise, in the considered opinion of this Court, no prejudice shall be caused to either of the parties if the petitioners are permitted to visit the said bank as prayed for by them. Accordingly, the present petition is allowed. The impugned orders are hereby set aside. The Superintendent, District Jail, Bhondsi is directed to arrange to send the petitioners to the nearest branch of Axis Bank in proper police custody on 08.09.2025 or any subsequent date. The petitioner shall be taken back to custody on the same day. The expenses so incurred shall be borne by the petitioners themselves. The Commissioner of Police, Gurugram is also directed to ensure the compliance of this order.

29.08.2025

Wassem Ansari

Whether speaking/reasoned
Whether reportable

(MANISHA BATRA)
JUDGE

Yes/No
Yes/No