



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

CRM-M-26831-2025

Date of Decision:12.08.2025

Neel Kamal alias Neel Dhiman

...Petitioner

vs.

State of Punjab

...Respondent

Coram : Hon'ble Mr. Justice N.S.Shekhawat

Present : Mr. Saurabh Gautam, Advocate with
 Mr. Imran Khann, Advocate
 for the petitioner.

Mr. Ravneet Singh Joshi, DAG, Punjab.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the instant petition under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 with a prayer to grant regular bail to him in case FIR No.215 dated 28.09.2023 registered under Sections 406, 420, 120-B of IPC, at Police Station Division 8, Police Commissionerate, Jalandhar (Annexure P-1).

2. The FIR in the present case was registered by the complainant by alleging that the accused in the present case had committed online fraud and they were inducing the general public to invest in Cripto currency by making a fake website. Learned counsel for the petitioner contends that the allegations leveled by the complainant in the present case are very vague and do not connect the petitioner in any manner with the alleged offence. He further submits that a general allegation was leveled against the petitioner that Sukhdev Thakur, Neeraj Kumar and the petitioner had made false promise to the complainant.

He further contends that the petitioner was arrested in the present case on 20.07.2024 and is in custody for the last more than one year and one month. He further contends that in the present case, the charge has not been framed by the trial Court so far. Even out of 22 witnesses, the prosecution has not been able to examine even a single witness and there are no chances of early conclusion of the trial.

3. On the other hand, learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioner on the ground that two more cases i.e. FIR No.120 dated 24.09.2023 under Sections 420, 120-B of IPC read with Section 5 of the Himachal Pradesh Protection of Interests of Depositors (in Financial Establishments) Act, 1999 and Sections 21 & 23 of the Banning of Unregulated Deposit Schemes Act, 2019 at Police Station Palampur, District Kangra, Himachal Pradesh and FIR No.253 dated 01.09.2023 under Sections 406, 420, 120-B of IPC and Sections 4, 5, 12, 18, 76, 76(2) Chit Funds Act, 1982, Sections 21 and 23 of the Banning of Unregulated Deposit Schemes Act, at Police Station Zirakpur, District SAS Nagar, have been registered against the petitioner. However, it is an admitted fact that the petitioner is on bail in both the cases.

4. I have heard the learned counsel for the parties and perused the record.

5. In the present case, the petitioner is stated to be in custody for the last one year and one month. However, the trial has not been even formally commenced against the petitioner. Even though, the petitioner is involved in two more cases, but he has already been granted the bail in both the cases by this Court as well as the Hon'ble High Court of Himachal Pradesh.

6. Without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate, concerned, subject to the following conditions:-

(i) The petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case, so as to dissuade him to disclose such facts to the Court or to any other authority.

(ii) The petitioner shall remain present before the Court on the dates fixed for hearing of the case.

(iii) The petitioner shall not absent himself from the Court proceedings except on the prior permission of the Court concerned.

(iv) The petitioner shall surrender his passport, if any, (if already not surrendered), and in case he is not holder of the same, he shall swear an affidavit to that effect.

(v) The petitioner shall also file his affidavit before the concerned Court, mentioning his ordinary place of residence and number of mobile phone, which shall be used by him during the pendency of the trial. In case of change of place of residence/mobile number, he shall share the details with the concerned Court/learned Trial Court.

(vi) In case, the petitioner involves in any other criminal activity, during the pendency of the trial, it shall be viewed seriously.

(vii) The concerned Court may insist on two heavy local sureties and may also impose any other condition, in accordance with law, while accepting the bails bonds and surety bonds of the petitioner.

(N.S.SHEKHAWAT)
JUDGE

12.08.2025
hemlata

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