



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

214

**CRM-M-21202-2026
Date of decision : 24.04.2026
Date of uploading : 24.04.2026**

Nirdosh Kumar**Petitioner**

Versus

State of Haryana**Respondent**

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present: Mr. Yadwinder Singh, Advocate for the petitioner

Mr. Gurmeet Singh, AAG, Haryana.

SUMEET GOEL, J. (ORAL)

1. Present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') for grant of regular bail to the petitioner in case FIR No.306 dated 08.07.2025 under Sections 406, 420, 120-B of the IPC and Section 3(2) of Haryana Protection of Interest of Depositor in Financial Establishment Act, 2013 and Sections 21, 21(3) of Banning of Unregulated Deposit Scheme Act, 2019, registered at Police Station Sector 13/17, Panipat, Haryana.

2. The case set up in the FIR in question (as set out in the present petition by the petitioner) is as follows:-

“Respect sir, a complaint bearing No. 697-PESHI dated 24.06.2025 was received through post in the office of the Superintendent of Police, and after special detective unit Panipat District Panipat, and after preliminary inquiry, the same was marked to the concerned Police Station, the contents of which are as follows: To, The Superintendent of Police, District Panipat. Subject: Request for taking action Rinku Dhanda, Sonia Dhanda resident of global city Morinda Punjab, Jeevan Latta W/o Priyavart resident of Sector 18 Huda Panipat and Nirdosh Kumar director GFX TRADE office at Shop no. 18 TDI, regarding cheating, fraud, and



misappropriation of Rs. 12,00,000/- and issuing threats to life. Sir, We, Jatin Chopra, son of Satish Chopra, resident of New Housing, Panipat, and Akanksha Batra, daughter of Ashok Batra, resident of Friends Colony near Aneja Petrol Pump, Panipat, respectfully submit that we are private employees earning our livelihood. One Jeevan Latta, who was already known to us, met us in the last week of July 2023 and stated that she, along with Rinku Dhanda and Sonia Dhanda, runs a company namely GFX Academy Private Limited, having its office at SCO No. 18, Sector 28-29, TDI, Panipat. She represented that they invest money in Forex trading and return double the amount within 9 months. We were induced by her representations, and she took us to the office of the said accused persons at TDI, Panipat, where Rinku Dhanda and Sonia Dhanda were present along with several other persons. To gain our trust, they showed documents of GFX Academy Pvt. Ltd. and also displayed trading applications on their phones showing huge profits. Believing their representations, we agreed to invest money. On 27.07.2023, Jatin transferred Rs. 3,00,000/- from his IDBI Bank account no. 0121104000158400 (GT Road, Panipat branch), and on 04.09.2023, Akanksha Batra transferred Rs. 4,00,000/- from her SBI account no. 30100424966 (Model Town branch) into the bank account of GFX Academy Pvt. Ltd. The accused persons provided us with ID numbers GFX 930263 and GFX 757505 and assured us that our money would be doubled shortly. Further, Jeevan Latta also persuaded us for investments from our Known persons, and accordingly, Rs. 5,00,000/- was transferred from Vinod Vasan and Shivani Vasan into the company account. Later, we came to know that GFX Trading, owned by Nirdosh Kumar, who take amount through GFX Academy and give amount through GFX TRADE and both were operating from the same office which was operating with name of GFX Academy. Subsequently, the accused persons closed their office. When we demanded return of our money, they kept delaying on one pretext or another. In February 2025, when we pressed for repayment, they started threatening us by taking names of criminals and warned that we should forget the money or face dire consequences, including threats to life. We have also come to know that the accused persons have cheated many other innocent people and defrauded crores of rupees in a similar manner. Therefore, it is requested that strict legal action be taken against the accused persons, who by creating a fake company, have cheated us and our known persons of about Rs. 12,00,000/- on the pretext of doubling the money, and justice be provided to us. Dated: 13.05.2025 Complainants: Jatin Chopra, Akanksha Batra Mobile No.: 8950321646, 7206597247 on receipt of the above complaint, FIR No. 306 dated 08.07.2025 was registered under Sections 406, 420, 120-B IPC, Section 3(ii) of the Haryana Protection of Interest of Depositors in Financial Establishments Act, 2013, and Sections 21, 21(3) of the Banning of Unregulated Deposit Schemes Act, 2019 at Police Station Sector 13/17, Panipat. Copies of the FIR were prepared and the original complaint was taken into possession by ASI Satish Kumar. Copies were forwarded to the illaqa Magistrate and senior officers. The case was registered in the CCTNS system under the supervision of SHO, Police Station Sector 13/17, Panipat, and investigation was entrusted to ASI Satish Kumar No. 247/PWL. Due to technical issues in the CCTNS system at the time, the FIR was recorded accordingly."

3. Learned counsel for the petitioner has argued that the petitioner is in custody since 03.09.2025. Learned counsel has further argued that the FIR-complainant has actually deposited money in the company which



is not under the effective control of the petitioner. Learned counsel has further argued that when the FIR-complainant could not get the money back, he was falsely implicated in the FIR in question. Learned counsel has further argued that upon culmination of investigation, the challan stands presented wherein 24 prosecution witnesses have been cited, and culmination thereof, the trial will take long. Learned counsel has further argued that the petitioner is the sole bread earner of the family. Thus, regular bail is prayed for.

4. Learned State counsel has opposed the present petition by arguing that the allegations raised are serious in nature and thus the petitioner does not deserve the concession of the regular bail. Learned State counsel seeks to place on record custody certificate dated 24.04.2026 in Court, which is taken on record.

5. I have heard counsel for the parties and have gone through the available records of the case. Before delving into the matter in hand, it would be apposite to refer herein to a judgment of the Hon'ble Supreme Court titled as ***Gudikanti Narasimhulu and others vs. Public Prosecutor, High Court of Andhra Pradesh AIR 1978 SUPREME COURT 429***, relevant whereof reads as under:

“10. The significance and sweep of Article 21 make the deprivation of liberty a matter of grave concern and permissible only when the law authorising it is reasonable, even-handed and geared to the goals of community good and State necessity spelt out in Article 19. Indeed, the considerations I have set out as criteria are germane to the constitutional proposition I have deduced. Reasonableness postulates intelligent care and predicates that deprivation of freedom- by refusal of bail is not for punitive purpose but for the bi-focal interests of justice-to the individual involved and society affected.

11. We must weigh the contrary factors to answer the test of



reasonableness, subject to the need for securing the presence, of the bail applicant. It makes sense to assume that a man on bail has a better chance to prepare or present his case than one remanded in custody. And if public justice is to be promoted, mechanical detention should be close to ours, the function of bail is limited, 'community roots' of the applicant are stressed and, after the Vera Foundation's Manhattan Bail Project, monetary suretyship is losing ground. The considerable public expense in keeping in custody where no danger of disappearance or disturbance can arise, is not a negligible consideration. Equally important is the deplorable condition, verging on the inhuman, of our sub-jails, that the unrewarding cruelty and expensive custody of avoidable incarceration makes refusal of bail unreasonable and a Policy favouring release justly sensible.

12. *A few other weighty factors deserve reference. All deprivation of liberty is validated by social defence and individual correction along an anti-criminal direction. Public justice is central to the whole scheme of bail law. Fleeing justice must be forbidden but punitive harshness should be minimised. Restorative devices to redeem the man, even, through community service, meditative drill, study classes or other resources should be innovated, and playing foul with public peace by tampering with evidence, intimidating witnesses or committing offence while on judicially sanctioned 'free enterprise,' should be provided against. No seeker of justice shall play confidence tricks on the court or community. Thus, conditions may be hung around bail orders, not to cripple but to protect. Such is the holistic jurisdiction and humanistic orientation invoked by the judicial discretion correlated to the values of our constitution."*

5.1. Further, the Hon'ble Supreme Court in a judgment titled as ***Gurcharan Singh vs. State (UT of Delhi) 1978 (1) SCC 118***, has held as under:-

"Where the granting of bail lies within the discretion of the court, the granting or denial is regulated, to a large extent, by the facts and circumstances of each particular case. Since the object of the detention or imprisonment of the accused is to secure his appearance and submission to the jurisdiction and the judgment of the court, the primary inquiry is whether a recognizance or bond would effect that end."



5.2. Furthermore, the Hon'ble Supreme Court in a judgment tiled as ***Sanjay Chandra vs. CBI (2012) 1 SCC 40***, has held as under:

“21. In bail applications, generally, it has been laid down from the earliest times that the object of bail is to secure the appearance of the accused person at his trial by reasonable amount of bail. The object of bail is neither punitive nor preventative. Deprivation of liberty must be considered a punishment, unless it can be required to ensure that an accused person will stand his trial when called upon. The courts owe more than verbal respect to the principle that punishment begins after conviction, and that every man is deemed to be innocent until duly tried and duly found guilty.

22. From the earliest times, it was appreciated that detention in custody pending completion of trial could be a cause of great hardship. From time to time, necessity demands that some un-convicted persons should be held in custody pending trial to secure their attendance at the trial but in such cases, “necessity” is the operative test. In this country, it would be quite contrary to the concept of personal liberty enshrined in the Constitution that any person should be punished in respect of any matter, upon which, he has not been convicted or that in any circumstances, he should be deprived of his liberty upon only the belief that he will tamper with the witnesses if left at liberty, save in the most extraordinary circumstances.”

6. The petitioner was arrested on 03.09.2025 wherein after investigation was carried out and challan stands presented on 15.11.2025. Total 24 prosecution witnesses have been cited but none has been examined till date. It is thus indubitable that culmination of trial will take its own time. The rival contentions raised by learned counsel give rise to debatable issues which shall be ratiocinated upon during the course of trial. This Court does not deem it appropriate to delve deep into these rival contentions, at this stage, lest it may prejudice the trial. Nothing tangible has been brought forward to indicate the likelihood of the petitioner absconding from the process of justice or interfering with the



prosecution evidence.

6.1 As per custody certificate dated 24.04.2026 filed by learned State counsel, the petitioner has already suffered incarceration for a period of 7 months and 22 days & is shown to be involved in other case. As per the said custody certificate, the petitioner is stated to be involved in more cases/FIRs. Indubitably, the antecedents of a person are required to be accounted for while considering a regular bail petition preferred by him. However, this factum cannot be a ground sufficient by itself, to decline the concession of regular bail to the petitioner in the FIR in question when a case is made out for grant of regular bail *qua* the FIR in question by ratiocinating upon the facts/circumstances of the said FIR. Reliance in this regard can be placed upon the judgment of the Hon'ble Supreme Court in *Maulana Mohd. Amir Rashadi v. State of U.P. and another, 2012 (1) RCR (Criminal) 586*; a Division Bench judgment of the Hon'ble Calcutta High Court in case of *Sridhar Das v. State, 1998 (2) RCR (Criminal) 477* & judgments of this Court in *CRM-M No.38822-2022* titled as *Akhilesh Singh v. State of Haryana*, decided on 29.11.2021, and *Balraj v. State of Haryana, 1998 (3) RCR (Criminal) 191*.

Suffice to say, further detention of the petitioner as an undertrial is not warranted in the facts and circumstances of the case.

7. In view of above, the present petition is allowed. Petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the Ld. concerned CJM/Duty Magistrate. However, in addition to conditions that may be imposed by the concerned CJM/Duty Magistrate, the petitioner shall remain bound by the following conditions:-



- (i) The petitioner shall not mis-use the liberty granted.
- (ii) The petitioner shall not tamper with any evidence, oral or documentary, during the trial.
- (iii) The petitioner shall not absent himself on any date before the trial.
- (iv) The petitioner shall not commit any offence while on bail.
- (v) The petitioner shall deposit his passport, if any, with the trial Court.
- (vi) The petitioner shall give his cell-phone number to the Investigating Officer/SHO of concerned Police Station and shall not change his cell-phone number without prior permission of the trial Court/Illaqa Magistrate.
- (vii) The petitioner shall not in any manner try to delay the trial.

8. In case of breach of any of the aforesaid conditions and those which may be imposed by concerned CJM/Duty Magistrate as directed hereinabove or upon showing any other sufficient cause, the State/complainant shall be at liberty to move cancellation of bail of the petitioner.

9. Ordered accordingly.

10. Nothing said hereinabove shall be construed as an expression of opinion on the merits of the case.

11. Pending application(s), if any, shall also stand disposed of.

(SUMEET GOEL)
JUDGE

24.04.2026
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Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No