

CRM-M-24852-2025
Reserved on: 02.07.2025
Pronounced on: 15.07.2025

...PETITIONER

STATE OF HARYANA

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Mr. Naveen K. Sheoran, DAG, Haryana.

ANOOP CHITKARA, J.

FIR No.	Dated	Police Station	Sections
69	22.06.2024	Cyber Crime Ballabgarh, District Faridabad	420/120-B IPC

1. The petitioner incarcerated in the FIR captioned above had come up before this Court under Section 439 Cr.P.C seeking regular bail.
2. Per paragraph 14 of the bail petition and reply/custody certificate, the petitioner has no criminal antecedents.
3. The facts and allegations are being taken from the reply filed by the State, which reads as follows:

“xxx xxx xxx xxx

That the brief facts of the present case are that on 22.06.2024, the complainant Preeti came to the police station Cyber Ballabgarh with regard to her complaint dated 05.06.2024 submitted by her in the NCRP Portal-1930 and got recorded her statement that on 28.05.2024, she was in her home and her friend Nahar Singh was also present there. She was receiving various lucrative messages on Telegram app regarding investing in Bitcoin and gaining huge profits. She told her friend Nahar Singh about the same. He also told that he was also receiving such messages. They responded to the messages on Telegram ID @itsabhishek11. They were asked to register themselves on the website <http://web.bconon.com./h5> and they registered on the said website. They

were assigned ID No. 21799. Nahar Singh sent Rs. 10,000/- from his account no. 50100028961017 in the account no. xxxxx39891693 of one Jaswinder Kaur. They earned the profit of Rs. 307/-. The complainant Preeti invested Rs. 50,000/- from her account no. 50100519707562 and she earned a profit of Rs. 59,579/- On the instructions of the website, on 30.05.2024 and 31.05.2024, they transferred Rs. 50,000/- from account no. xxxxx200084012 in the account no. xxxxx7386435 of one Dharampreet Singh, Rs. 25,000/- from account no. xxxxx288416 in the account no. 110147386435 of one Dharampreet Singh, Rs. 5 Lakhs from the account no. xxxxx288416 in the account no. xxxxx7386435 of one Dharampreet Singh. When they demanded their money back, the persons of the website told them that they are earning good profits and they should invest more. On 01.06.2024, they further transferred Rs. 6,28,000/- from the account no. xxxxx000016075 in the account no. xxxxx723392802 of one Surjeet Kaur, Rs. 35,601/- from account no. xxxxx519707562 in the account no. xxxxx72891346 of one Komaljeet Kaur. On 02.06.2024, they transferred Rs. 64,092/- from account no. xxxxx200084012 in the account no. xxxxx711882952 of one Gurjant Singh Sidhu and on 03.06.2024, they further transferred Rs. 1,95,408/- in the said account of Gurjant Singh Sidhu. They further transferred Rs. 2,47,227/-, Rs. 50,000/-, Rs. 9,442/-. On 04.06.2024, They transferred Rs. 9,13,600/- from account no. xxxxx000016075 in the account no. xxxxx20519145 of one Bholi Kaur. In this way, the complainant party had transferred Rs. 27,78,370/- in the different accounts told by the accused persons. However, they still did not get their money back. The complainant further stated that she and her friend were duped of their money by cyber fraudsters on the basis of lucrative offers of earning huge profits in Crypto investments. Prayer was made for taking legal action. Thereupon, the above mentioned FIR No. 69 dated 22.06.2024 u/s 420, 120-B IPC was registered at P.S. Cyber Crime, Ballabgarh.”

4. Counsel for the petitioner submits that the petitioner has been falsely implicated in the present case and he has no role in the alleged cyber fraud. The petitioner's counsel further prays for bail by imposing any stringent conditions including surrender of fire arms, if any. In case, he repeats the offence or commit any offence, he would have no objection, if State files an application for cancellation of bail. He further contends that further pre-trial incarceration would cause an irreversible injustice to the petitioner and their family.

5. The State’s counsel opposes bail and refers to the reply.

6. It would be appropriate to refer to the following portions of the reply, which read as follows:

“xxx xxx xxx xxx

- i. That the role of the petitioner Jatinder Singh in the present case is that he is the holder of beneficiary account no. xxxxx100063435 (Federal Bank). The petitioner had sold his above mentioned account no. xxxxx100063435 to his friend i.e. co-accused Karanvir Singh for Rs. 25,000/-.*
- ii. That the evidence against the petitioner coming forth during investigation is that the amount of Rs. 3,15,000/- was transferred from the account no. xxxxx711882952 of accused Gurjant Singh Sidhu in the account no xxxxx100063435 of Jatinder Singh (present petitioner) and the amount of Rs. 6,00,000/- was transferred from the account No.xxxxx723392802 of Surjeet Kaur (beneficiary account holder named in the FIR) in the account No.xxxxx100063435 of Jatinder Singh (present petitioner). Further, one mobile phone Techno Camon CK6 along with sim no.XXX1590054 and XXX1671354 were recovered from the petitioner during his jamatalashi. The mobile no. XXX1671354 of the petitioner has been found to be registered with account no.xxxxx100063435(Federal Bank) of the petitioner.*

REASONING:

7. Petitioner himself is a victim who has been duped by the main accused as he has also been allured by the accused persons to lend his account access to them. There is sufficient prima facie evidence connecting the petitioner with the alleged crime. However, pre-trial incarceration should not be a replica of post-conviction sentencing. Per paragraph 6 of the bail petition, the petitioner has been in custody since 12.10.2024. Per the custody certificate dated 01.07.2025, the petitioner’s total custody in this FIR is 08 months and 20 days. Given the penal provisions invoked viz-a-viz pre-trial custody, coupled with the prima facie analysis of the nature of allegations, and the other factors peculiar to this case, there would be no justifiability further pre-trial incarceration at this stage.
8. Without commenting on the case's merits, in the facts and circumstances peculiar to this case, and for the reasons mentioned above, the petitioner makes a case for bail.
9. Given above, provided the petitioner is not required in any other case, the petitioner shall be released on bail in the FIR captioned above subject to furnishing bonds to the satisfaction of the concerned Court and due to unavailability before any nearest Illaqa Magistrate/duty Magistrate. Before accepting the surety, the concerned Court must be satisfied that if the accused fails to appear, such surety can produce the accused.
10. While furnishing a personal bond, the petitioner shall mention the following personal identification details:

1.	AADHAR number	
2.	Passport number (If available) and when the attesting officer/court considers it appropriate or considers the accused a flight risk.	

3.	Mobile number (If available)	
4.	E-Mail id (If available)	

11. This order is subject to the petitioner’s complying with the following terms.
12. The petitioner shall abide by all statutory bond conditions and appear before the concerned Court(s) on all dates. The petitioner shall not tamper with the evidence, influence, browbeat, pressurize, induce, threaten, or promise, directly or indirectly, any witnesses, Police officials, or any other person acquainted with the facts and circumstances of the case or dissuade them from disclosing such facts to the Police or the Court.
13. ***This bail is conditional, and the foundational condition is that if the petitioner indulges in any non-bailable offense, the State may file an application for cancellation of this bail before the Sessions Court, which shall be at liberty to cancel this bail.***
14. Any observation made hereinabove is neither an expression of opinion on the case's merits nor shall the trial Court advert to these comments.
15. A certified copy of this order would not be needed for furnishing bonds, and any Advocate for the Petitioner can download this order along with case status from the official web page of this Court and attest it to be a true copy. If the attesting officer wants to verify its authenticity, such an officer can also verify its authenticity and may download and use the downloaded copy for attesting bonds.
16. **Petition allowed** in terms mentioned above. All pending applications, if any, stand disposed of.

(ANOOP CHITKARA)
JUDGE

15.07.2025
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Whether speaking/reasoned: Yes
Whether reportable: No.