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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-29364-2026 (O&M)
Date of Decision: 11.09.2026

ARVIND

...Petitioner

Vs.

STATE OF HARYANA

...Respondent

CORAM:- HON'BLE MR. JUSTICE VIRINDER AGGARWAL

Present: Mr. Rahul Deswal, Advocate for the petitioner.
Mr. Ramesh Kumar Ambavta, Additional AG, Haryana.

VIRINDER AGGARWAL, J. (Oral)

CRM-30762-2026

The present application has been filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, for placing on record the bail orders of the co-accused persons (Annexures P-10 to P-12), which are necessary for the proper adjudication of the present case.

For the reasons mentioned in the application, duly supported by an affidavit of the petitioner, CM is allowed as prayed for. The bail orders of the co-accused persons (Annexures P-10 to P-12) are taken on record.

CRM-M-29364-2026 (O&M)

1. The present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (corresponding to Section 439 Cr.P.C.), seeking grant of regular bail to the petitioner in the case arising out of FIR No. 96 dated 27.05.2024, registered under Sections 420 IPC/318(4) BNS, 120-B IPC/61(2) BNS and Section 66D of the Information Technology Act, at Police Station Cyber Crime, Manesar, District Gurugram.

2. As per the prosecution, the complainant, G.N. Rao, resident of Vatika City, Gurugram, was allegedly induced to invest money in an online



share-market trading course by persons representing themselves as members of “Viking Investment Institute”. It is alleged that the complainant was initially contacted by a person claiming to be associated with Zerodha and was thereafter introduced to Divijaa, Sarvesh Kumar Srivastava and two Customer Service Managers, who allegedly induced him to join an online trading course and participate in share-market transactions. The complainant was allegedly provided user ID and password and was made to believe that he was earning substantial profits through the said trading platform. It is further alleged that when the complainant sought to withdraw his accumulated amount, he was informed that he was required to deposit various amounts towards dividend, improvement of credit score and other purported charges. On different occasions, he was allegedly provided different bank account details and was induced to transfer substantial amounts. Subsequently, the complainant was allegedly informed that his account had been frozen and that an amount of ₹91,80,841.17/- was required to be deposited as a guarantee for unfreezing the account. The complainant thereafter allegedly arranged and transferred further amounts as directed by the persons involved. Ultimately, the persons operating the alleged trading group stopped responding to him and his access to the account was also allegedly discontinued. The complainant claimed that a total amount of approximately ₹1,05,80,162.17/- of his funds had been fraudulently captured.

2.1 During investigation, the prosecution allegedly traced the flow of part of the disputed amount through various bank accounts. An amount of ₹1,50,000/- was allegedly transferred to Federal Bank Account No. 212360200022527, from where an amount of ₹99,500/- was further



transferred to PNB Account No. 1678001700051228, which stands in the name of the present petitioner Arvind Kumar. The prosecution relies upon this transaction to allege that the petitioner's bank account formed part of the money trail arising out of the alleged cyber fraud. The petitioner was arrested on 05.02.2026. As per the prosecution material relied upon by the petitioner, his disclosure statement records that co-accused Ramesh Ola was the person who involved the petitioner, and that the petitioner had allegedly been paid ₹4,000/- as commission for opening the bank account. The prosecution case, therefore, insofar as the present petitioner is concerned, primarily rests upon the alleged use of his bank account in the transaction chain and the material collected during investigation regarding opening/providing the said account. The prosecution further relies upon the bank records, transaction trail, electronic material and statements collected during investigation.

3. Learned counsel for the petitioner submits petitioner has been falsely implicated in the present case and that he was neither named in the FIR nor attributed any specific role in the alleged inducement or cheating of the complainant. It is contended that the complainant had no interaction or communication with the petitioner and that the petitioner never induced him to invest any amount, nor did he receive any money directly from the complainant.

3.1 It is further submitted that the prosecution is relying upon a second-layer transaction of ₹99,500/-, allegedly transferred from a Federal Bank account to the petitioner's PNB account. According to learned counsel, there is no direct transaction from the complainant to the petitioner's account and the mere fact that an amount passed through his account cannot, by itself,



establish his involvement in the alleged cyber fraud. It is also submitted that the petitioner has not been attributed any role in operating the alleged WhatsApp group or in communicating with the complainant.

3.2 Learned counsel further submits that the disclosure statement dated 05.02.2026 itself attributes the petitioner's alleged involvement to co-accused Ramesh Ola, and the allegation against the petitioner is only that he received ₹4,000/- as commission for opening an account. No incriminating article or amount has been recovered from the petitioner. The alleged bank transaction is already a matter of record and, therefore, no further custodial interrogation of the petitioner is required.

3.3 It is also submitted that the petitioner is a BA student and his educational record has been placed on record. He has been in custody since 05.02.2026, whereas the investigation already stands completed and the challan was presented on 16.02.2026. The case is presently at the stage of framing of charge, with 26 prosecution witnesses cited, none of whom has yet been examined, and the trial is, therefore, likely to take considerable time.

3.4 Learned counsel has further relied upon the orders whereby similarly placed co-accused, including Manvinder Singh, Neeraj Kumar, Ajit Prasad, Sachin Bhola @ Ashu and Vipin Kumar, have been granted the concession of bail, submitting that the petitioner is also entitled to the benefit of parity. It is argued that the offences alleged, though involving a substantial monetary amount, are triable by the competent criminal Court and the mere description of the case as an economic or cyber offence cannot, by itself, constitute a ground to deny bail when the investigation is complete and the petitioner is no longer required for custodial interrogation.



4. Notice of motion.

5. Mr. Ramesh Kumar Ambavta, Additional AG, Haryana. has put in appearance on behalf of the respondent-State and has filed the custody certificate dated 09.09.2026, which is taken on record, subject to all just exceptions. As per the custody certificate, the petitioner has already undergone a total custody period of 07 months and 05 days.

6. Learned State counsel opposes the present petition, submitting that the investigation has revealed the petitioner's linkage with the alleged cyber fraud through his bank account, wherein an amount of ₹99,500/- was allegedly received as part of the money trail. It is further submitted that the petitioner allegedly received ₹4,000/- as commission for opening the said account. Considering the magnitude of the alleged fraud of approximately ₹1.05 crore and the material collected during investigation, the petitioner does not deserve the concession of bail.

7. Be that as it may, considering the fact that the petitioner has been in custody since 05.02.2026, investigation stands completed and challan has already been presented on 16.02.2026. The case is presently at the stage of framing of charge and, out of the 26 prosecution witnesses cited by the prosecution, none has been examined so far. Thus, the conclusion of the trial is likely to take considerable time. It is also relevant to notice that the petitioner was not named in the FIR and no specific allegation of his having directly induced the complainant to part with the alleged amount has been attributed to him. The material relied upon by the prosecution, insofar as the petitioner is concerned, primarily relates to the alleged receipt of ₹99,500/- in his bank account as a second-layer transaction and the allegation regarding receipt of



₹4,000/- as commission for opening the account. The relevant bank transactions are already part of the investigation record and, therefore, the continued custodial detention of the petitioner is not shown to be necessary for further investigation. Further, similarly placed co-accused have already been granted the concession of bail. The question as to the precise role of the petitioner, the nature of his knowledge and his alleged connection with the other accused are matters which would require appreciation of evidence during trial. At this stage, without expressing any opinion on the merits of the case, the petitioner having undergone substantial custody, with the investigation complete and the trial yet to commence, further incarceration of the petitioner would serve no useful purpose.

8. Reliance is placed upon the judgment of the Hon'ble Apex Court in *Dataram Singh v. State of Uttar Pradesh & Another*, 2018 (2) R.C.R. (Criminal) 131, wherein it has been held that grant of bail is the rule and refusal thereof is an exception, and that a person is presumed to be innocent until proven guilty. It is further submitted that the right to speedy trial forms an integral part of the right to life and personal liberty guaranteed under Article 21 of the Constitution of India, and the same has been consistently recognised by the Hon'ble Supreme Court, including in *Balwinder Singh v. State of Punjab & Another* (SLO (Crl.) No. 8523/2024). In these circumstances, continued incarceration of the petitioner would serve no useful purpose, particularly when the trial can be effectively safeguarded by imposing appropriate conditions.

9. Accordingly, the present petition is allowed, and the petitioner is ordered to be admitted on regular bail, subject to furnishing requisite bail and



surety bonds to the satisfaction of the learned Chief Judicial Magistrate concerned/Illaqa Magistrate/Duty Magistrate, as the case may be, and further subject to the following conditions:-

- 1. The petitioner shall not, directly or indirectly, make any inducement, threat, or promise to any person acquainted with the facts and circumstances of the case so as to dissuade such person from disclosing such facts before the Court or to the investigating agency.*
- 2. The petitioner shall not tamper with the prosecution evidence in any manner whatsoever, nor shall attempt, directly or indirectly, to influence, intimidate, or contact any prosecution witness.*
- 3. The petitioner shall not leave the territorial limits of India without obtaining the prior permission of the learned Trial Court. In the event he is in possession of a passport, he shall furnish its particulars before the Investigating Officer as well as the learned Trial Court.*
- 4. The learned Illaqa Magistrate/Duty Magistrate, before accepting the bail and surety bonds, shall obtain from the petitioner his permanent residential address as well as present correspondence address, duly supported by appropriate documentary proof. The Investigating Officer shall verify the correctness of the said addresses within 48 hours from the acceptance of the bail bonds and shall place a verification report on the record. In the event either of the addresses is found to be false, fictitious, or incorrect, it shall be open to the prosecution to seek cancellation of the concession of bail in accordance with law.*
- 5. The petitioner shall furnish before the learned Trial Court, either at the time of furnishing the bail bonds or within such period as may be specified by the Court, Permanent Account Number (PAN), Aadhaar Number, particulars of all operative bank accounts, and a declaration disclosing details of immovable properties, if any. Any concealment of material particulars or furnishing of false information shall constitute a valid ground for seeking cancellation of bail in accordance with law.*
- 6. The petitioner shall intimate the Investigating Officer as well as the learned Trial Court, in writing, of any change in residential address or mobile number within seven days from the date of such change.*
- 7. The petitioner shall not commit any offence of a similar nature during the pendency of the trial and shall remain present before the learned Trial Court on each and every date fixed, unless his personal appearance is exempted in accordance with law. He shall not absent himself from the proceedings without obtaining prior permission of the learned Trial Court. In the event of any violation of the aforesaid conditions or his unauthorized absence from the trial proceedings, it shall be open to the learned Trial Court to proceed in accordance with law, including cancellation of the concession of regular bail and issuance of appropriate coercive process, including warrants of arrest.*

(VIRINDER AGGARWAL)
JUDGE

11.09.2026

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

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2026:PHHC:128835



CRM-M-29364-2026 (O&M)