



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(305)

CRM-M-29848-2026 (O&M)
Date of Decision:23.07.2026

RITIK

... Petitioner

Versus

STATE OF UT CHANDIGARH

... Respondent

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CORAM: HON'BLE MR. JUSTICE VIRINDER AGGARWAL

Present:- Mr. Shakti Mehta, Advocate,
for the petitioner.

Mr. Manish Bansal, PP, UT., Chandigarh assisted
by Ms. Diksha Sharma, Advocate.

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VIRINDER AGGARWAL, J. (Oral)

1. The present is the first petition instituted under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (corresponding to Section 439 of the Code of Criminal Procedure, 1973), seeking the concession of regular bail in connection with FIR No.11 dated 18.01.2026 (**Annexure P-1**), registered under Sections 112(2), 317(2) and 61(2) of the *Bharatiya Nyaya Sanhita, 2023* (corresponding to Sections 411 and 120-B of the Indian Penal Code, 1860), at Police Station Cyber Crime, Chandigarh.
2. The prosecution case, in brief, is that the present FIR came to be registered on the statement of SI Gurwinder Singh, Police Station Cyber Crime, Chandigarh. During an analysis of cyber fraud complaints registered across the country on the NCRP/14C Portal, it allegedly surfaced that several bank accounts operating within the territorial



jurisdiction of Chandigarh were being utilized as "mule accounts" by organized cyber fraud syndicates for receiving the proceeds of crime. According to the prosecution, the fraudulently obtained amounts were layered through multiple bank accounts in order to conceal their illicit origin and were thereafter withdrawn in cash from various ATMs situated within Chandigarh. On the basis of the aforesaid information, the present FIR was initially registered against accused Ritik, Rythem and Akash.

3. Learned counsel appearing for the petitioner submits that the petitioner is innocent and has been falsely implicated in the present case. It is contended that there is no allegation whatsoever that the petitioner either induced any victim, participated in the commission of the alleged cyber fraud, or played any role in the execution of the principal offence. His implication rests solely upon an alleged disclosure statement recorded during police custody, which, by itself, is inadmissible in evidence except to the limited extent permissible under law. It is further submitted that the petitioner has remained in judicial custody since 18.01.2026, has cooperated fully with the investigating agency throughout the investigation, and is no longer required for the purposes of custodial interrogation. The investigation stands concluded and the final report (challan) was presented before the competent Court on 16.03.2026. Charges have already been framed on 23.04.2026; however, despite the prosecution having cited nine witnesses, not even a single witness has been examined till date. It is, therefore, contended that the trial is likely to consume considerable time before reaching its logical conclusion and continued incarceration of the petitioner would serve no useful purpose



except to subject him to punitive pre-trial detention. Learned counsel further submits that the petitioner is a person of modest means, employed in a private establishment, and is the sole breadwinner of his family. On these premises, prayer has been made for the grant of the concession of regular bail.

4. The custody certificate produced by the learned State counsel is taken on record, subject to all just exceptions.

4.1. Per contra, learned State counsel has vehemently opposed the prayer for grant of regular bail. It is submitted that an amount of ₹5,00,000/- was credited into the petitioner's bank account, out of which ₹4,60,000/- was subsequently withdrawn by him. According to the prosecution, the petitioner had knowingly permitted his bank account to be used as a "mule account" for routing the proceeds of cyber crime in consideration of a commission at the rate of 1%, thereby facilitating the laundering and concealment of the proceeds of crime. Having regard to the nature, gravity and seriousness of the allegations, coupled with the manner in which the offence is alleged to have been perpetrated, it is contended that the petitioner does not deserve the concession of regular bail at this stage. It is, accordingly, prayed that the present petition, being devoid of merit, be dismissed.

5. I have heard learned counsel for the parties at considerable length and have meticulously examined the paper book and the material placed on record with their able assistance.

6. Upon an anxious and comprehensive consideration of the rival submissions advanced by learned counsel for the parties and a *prima facie*



evaluation of the material placed on record, this Court finds that the petitioner has remained in judicial custody since 18.01.2026. It is an admitted position that the investigation qua the petitioner stands concluded, the challan has already been presented before the competent Court, and his further custodial interrogation is no longer required. It is also not in dispute that a similarly situated co-accused, namely Akash, has already been granted the concession of regular bail by this Court vide order dated 15.06.2026 passed in CRM-M-33326-2026. In the absence of any distinguishing or supervening circumstance brought to the notice of this Court, the petitioner is entitled to claim the benefit of parity, which is a well-recognised facet of the jurisprudence governing grant of bail.

6.1. The allegations against the petitioner, as projected by the prosecution, are that an amount of ₹5,00,000/- was credited into his bank account, out of which ₹4,60,000/- was allegedly withdrawn, and that he permitted his bank account to be used as a so-called "mule account" for consideration of a commission. Whether the petitioner possessed the requisite knowledge or criminal intent so as to attract the ingredients of the offences alleged is a matter that necessarily requires appreciation of evidence during the course of trial and cannot be conclusively determined at the present stage. At the stage of consideration of a petition for regular bail, this Court is not expected to undertake a meticulous examination of the evidentiary material or record any definitive finding touching upon the merits of the prosecution case.

6.2. It is equally significant that the petitioner is not alleged to have induced any victim or to have been directly involved in the execution



of the alleged cyber fraud. His implication is founded primarily upon the financial transactions reflected in his bank account and the allegations emerging during investigation. The evidentiary worth, admissibility and probative value of such material shall necessarily be adjudicated upon by the learned Trial Court after the parties lead their respective evidence.

6.3. The constitutional guarantee of a speedy trial, which forms an inseparable facet of Article 21 of the Constitution of India, also merits due consideration. The trial is not likely to attain finality in the immediate future. Continued incarceration of the petitioner for an indefinite period, despite completion of investigation and presentation of the challan, would neither advance the cause of justice nor serve any useful investigational purpose. The object of pre-trial detention is to secure the presence of the accused during trial and not to impose punitive incarceration before guilt is established in accordance with law.

6.4. Consequently, the present petition is **allowed**. The applicant-petitioner is ordered to be released on regular bail, subject to his furnishing requisite bail and surety bonds to the satisfaction of the learned Chief Judicial Magistrate/Illaq Magistrate/Duty Magistrate concerned, as the case may be, and further subject to the following conditions:-

- i. The petitioner(s) 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.
- ii. The petitioner(s) shall not tamper with the prosecution evidence in any manner whatsoever, nor shall the petitioner(s), directly or



indirectly, attempt to influence, intimidate, or contact any prosecution witness.

- iii. The petitioner(s) shall not leave the territorial limits of India without obtaining the prior permission of the learned Trial Court. In the event any of the petitioner(s) is in possession of a passport, the particulars thereof shall be furnished before the Investigating Officer as well as the learned Trial Court.
- iv. Before accepting the bail and surety bonds, the learned Illaqa Magistrate/Duty Magistrate/C.J.M. concerned shall obtain from the petitioner(s) the permanent residential address as well as the present correspondence address, duly supported by appropriate documentary proof. The Investigating Officer shall verify the correctness of the said addresses within 48 hours of the acceptance of the bail bonds and place a verification report on record. In the event any 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.
- v. The petitioner(s) 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, the 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 the concession of bail in accordance with law.
- vi. The petitioner(s) 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 of such change.



vii. The petitioner(s) 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 personal appearance is exempted in accordance with law. The petitioner(s) shall not absent from the proceedings without obtaining prior permission of the learned Trial Court. In the event of violation of any of the aforesaid conditions or 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 bail and issuance of appropriate coercive process, including warrants of arrest.

7. By virtue of the final determination of the main cause, all pending interlocutory and ancillary applications stand automatically disposed of. The final adjudication of the core controversy has effectively extinguished the substratum of these pending applications, rendering them infructuous and precluding the need for separate judicial intervention or formal orders.

23.07.2026
Gaurav Sorot

(VIRINDER AGGARWAL)
JUDGE

Whether reasoned / speaking?	Yes / No
Whether reportable?	Yes / No