



In The High Court for the States of Punjab and Haryana
At Chandigarh

(I) CRM-M-54683-2024 (O&M)
Date of Decision:- 16.12.2024

Mohd. Imran ... Petitioner

Versus

State of Haryana ... Respondent

(II) CRM-M-54929-2024 (O&M)

Sohail ... Petitioner

Versus

State of Haryana ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Ms. Taranjit Kaur Hundal, Advocate and
Ms. Harnaaz Kaur Hundal, Advocate,
for the petitioner (s).

Mr. Neeraj Sheoran, DAG, Haryana.

FIR NO.	DATE	POLICE STATION	OFFENCES
17	21.03.2024	Cyber Crime Kurukshetra	419, 420 and 204 IPC

**GURVINDER SINGH GILL, J.** (Oral)

1. This order shall dispose of the above mentioned two petitions wherein petitioners Mohd. Imran and Sohail seek grant of regular bail in respect of aforementioned FIR.
2. Status report by way of affidavit of Mr. Om Parkash, DSP, Kurukshetra has been filed. The same is taken on record. A copy of the short reply has been furnished to learned counsel opposite.
3. The FIR was lodged at the instance of Jasbir Singh wherein it is alleged that on 01.03.2023 he received a telephone call on his mobile phone from mobile No. 8100199292 and the caller represented that he is calling from 'Jio Mobile Company' and stated that the services to the post paid Sim of the complainant were likely to be withdrawn. The said caller sent a link to the complainant asking him to download the same and that accordingly the complainant downloaded the said application 'Any Desk' on his mobile phone and upon asking of the caller passed on the OTP received from 'Any Desk' application and that shortly thereafter he received a message on his mobile phone regarding his fixed deposit account and when he went to the bank he came to know that a loan of Rs.13.5 lakhs had been raised against FD of Rs.15 lakhs of the complainant and transaction had been effected to the tune of Rs.9.92 lakhs out of the aforesaid loan amount.
4. Learned counsel for the petitioners submitted that they are neither named in the FIR nor have anything to do with the alleged offence



and nor the Sim number is issued in the name of the petitioners and as such they deserve the concession of bail.

5. Opposing the petition, learned State counsel submitted that upon investigation it had surfaced that accused Mohd. Imran used to open various bank accounts in different banks in his own name and used to pass on the particulars to Sohail and that Mohd. Imran used to receive Rs.10,000/- per account from Sohail. It is further submitted that upon investigation it had further surfaced that Sohail further used to pass on the particulars of the bank accounts to Raju Ansari in Jharkhand and used to get Rs.1 lakh per bank account and which were thereafter being misused by Raju Ansari and some others.
6. Learned State counsel has informed that while Mohd. Imran has been behind bars since the last about 8 months and 13 days, Sohail has been behind bars since the last about 6 months and that while there are two complaints against Mohd. Imran in some other States, Sohail is involved in one more FIR registered at Delhi. It has been informed that while charges have been framed, but no PW out of the cited 11 PWs has been examined till date.
7. This Court has considered rival submissions addressed before this Court.
8. Without commenting anything as regards the merits of the case, but having regard to the nature of the allegations and the amount involved also the fact that the petitioners have been behind bars for



the last more than 6 months, their further detention would not be justified particularly when the trial has not even commenced till date. Both the petitions, as such, are accepted and the petitioners are ordered to be released on regular bail on their furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

9. A photocopy of this order be placed on the file of each connected cases.

16.12.2024
mohan

(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned	Yes / No
Whether Reportable	Yes / No