



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

225

CRM-M-6596-2025

Date of decision: 2nd December, 2025

Monti

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Tarun Sharma, Advocate for the petitioner.

Ms. Himani Arora, Deputy Advocate General, Haryana.

MANISHA BATRA, J (ORAL):-

The present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the petitioner seeking grant of regular bail in case bearing FIR No. 33 dated 26.11.2023 registered under Section 420 (Sections 467, 468, 471, 204 and 120-B of IPC added later on) at Police Station Cyber Crime Kurukshetra, District Kurukshetra.

2. The aforementioned FIR was registered on the basis of a complaint submitted by Jagdeep Singh, who was a victim of cyber crime, who was allured through social media to invest money online in a particular company and was induced to part with a sum of Rs. 75,94,631/- which was got deposited online by him in various accounts. It was only later that he realised that a calculated fraud had been played upon him.

3. After registration of FIR, investigation proceedings were



initiated. It was revealed that several fake accounts had been opened by various persons by giving wrong ID details and the money from the bank account of the complainant was transferred in those bank accounts. It was also revealed that an amount of Rs. 96,962/- had been deposited from the bank account of the complainant, in a particular account which was operative in the name of Hi-Tech electronics company and was shown to be proprietorship concern of the present petitioner. The co-accused Gourav @ Aman was arrested on 17.03.2024. He suffered a disclosure statement on the basis of which the present petitioner had been nominated as an additional accused. He was arrested on 25.04.2024. He too suffered disclosure statement to the effect that on asking of the co-accused Gourav @ Aman, he had got opened a bank account in his name and in lieu thereof, he had received an amount of Rs. 50,000/-. The other accused had also been arrested. Investigation now stands completed.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. He is in custody since 25.04.2024. He was not named in the FIR. The disclosure statement suffered by the co-accused cannot be considered to be admissible in evidence. He was not directly involved in the offence. The money which was deposited in his bank account had not been withdrawn by him but by the co-accused Gourav and Parveen. The subject offences are triable by Magistrate. His further incarceration would not serve any useful purpose. The ingredients for commission of offence of forgery are not attracted qua him. The co-accused Gourav and Parveen have since been extended benefit of bail. On parity, he too deserves to be released on bail. Therefore, it is urged that the petition



deserves to be allowed.

4. Status report has been filed. Learned State counsel has argued that there are serious and specific allegations against the petitioner. An amount of Rs. 5,01,08,112/- had been deposited in the bank account operated by the petitioner though this amount was out of the transactions which had taken place qua other cases as well and not only the FIR of this case. The petitioner is a habitual offender as two similar FIRs have been registered against him. There are chances of his absconding or committing similar offences, if extended benefit of bail. Therefore, it is urged that the petition does not deserve to be allowed.

5. This Court has heard learned counsel for the parties at considerable length.

6. The petitioner was allegedly a part of the syndicate run by the co-accused, involved in inducing innocent persons to invest their hard-earned money online and defrauding them. He is alleged to have opened bank account in his name and provided the details of the same to the co-accused Gourav and Parveen. An amount of Rs. 96,962/- out of the amount transferred from the bank account of the complainant had been deposited in his bank account. Though the allegations *prima facie* make out a case for commission of offence of cheating as against the petitioner, however, he has now remained in custody for a period of one year and more than seven months. The subject offences are triable by Magistrate. The continued detention of the petitioner will not serve any useful purpose. He is obviously not required for further investigation. The trial has commenced but will obviously take considerable time, as none out of the 46 prosecution



witnesses has been examined so far. It is a well-settled proposition of law that pre-trial incarceration should not be a replica of post-conviction sentence and should not be punitive. Taking into consideration the above-discussed facts, but without making any comment on the merits of the case, the petition is allowed, and the petitioner is ordered to be admitted to bail, subject to his furnishing personal and surety bonds, including two sureties, to the satisfaction of the learned Trial Court/Illaqa Magistrate/CJM concerned.

8. However, in addition to the conditions to be imposed by the learned trial Court/Duty Magistrate/Chief Judicial Magistrate, the release of the petitioner shall also be subject to the following conditions :-

- (i) the petitioner shall not misuse the liberty granted;
- (ii) the petitioner shall not absent himself on any date before the trial Court;
- (iii) the petitioner shall not commit any offence while on bail.
- (iv) the petitioner shall give his cell phone number to the Investigating Officer/SHO of the concerned police station and shall not change the same without prior permission to the trial Court.
- (v) The petitioner shall submit, on the first working day of every month, an affidavit, before the concerned trial Court, to the effect that he has not been involved in commission of any offence after being released on bail. In case the petitioner is found to be involved in any offence after his being enlarged on bail in the present FIR, on the basis of his affidavit or otherwise, the State is



mandated to move, forthwith, for cancellation of his bail which plea, but of course, shall be ratiocinated upon merits thereof.

9. In case of breach of any of the aforesaid conditions and those which may be imposed by the concerned trial Court/Duty Magistrate as directed hereinabove or upon showing any other sufficient cause, the State/complainant shall be at liberty to move an application for cancellation of bail of the petitioner.
10. It is clarified that the observations made above shall not be construed as an expression of opinion of this Court on the merits of the case and shall not influence the outcome of the trial in any manner.
11. Since the main petition has been allowed, pending application, if any, is rendered infructuous.

[MANISHA BATRA]
JUDGE

2nd December, 2025
Parveen Sharma

1. Whether speaking/ reasoned : Yes / No
2. Whether reportable : Yes / No