213 **IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH**

CRM-M-6438-2025 (O&M)
Date of decision: 04.11.2025

ABHINAV RAJ SINGH SENGAR **...PETITIONER**

VERSUS

STATE OF PUNJAB **...RESPONDENT**

CORAM: HON'BLE MR. JUSTICE SUBHAS MEHLA

Present: Mr. Kabir Vadhera, Advocate for the petitioner.

Mr. Sandeep Kumar, DAG, Punjab.

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SUBHAS MEHLA, J. (ORAL)

1. This is the first petition filed under Section 483 BNSS, 2023 seeking regular bail to the petitioner in a case bearing FIR No.04 dated 05.08.2024 under Sections 318(4), 319(2), 111 of BNS, 2023 and Section 66(D) of Information Technology Act, 2000 registered at Police Station Cyber Crime District Rupnagar.

2. The prosecution case is that the complainant, who runs a private business, received a WhatsApp message offering high returns (84%–143%) by investing in the stocks of *Effwa Infra & Research Limited* and *Ganesh Green Bharat Limited*. He was sent a link, and after clicking it, an app was installed on his phone. The WhatsApp group admins instructed him and other members to purchase stocks through the app. Following their directions, the complainant deposited a total of **₹97,53,928** into various bank accounts. He was shown fake profits and later a total supposed balance of **₹1,96,86,275** in the app. However, when he asked to withdraw his money, the admins told him to invest further. Eventually, the admins transferred his deposited money to accounts of other

group members and thereby defrauded him.

3. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case and petitioner is the proprietor of that firm. Co-accused, namely Mukesh Yadav has allured the petitioner by saying that he would receive his money in his account if Mukesh Yadav would link his mobile number with the bank account of the petitioner, in which the alleged amount i.e. ₹54,08,101/- has been transferred. The bank account of the petitioner has been regularized by the co-accused.

4. On the other hand, on instructions, learned State counsel has opposed the bail on the ground that he has played major role in the commission of offence and in active connivance with the co-accused conspired with him. He further submits that the petitioner is the proprietor of that firm and received an amount of ₹54,08,101/- from the defrauded amount. Besides the present case, one more case is also pending against him in the State of Uttarakhand, which is of similar nature.

5. Heard.

6. Keeping in view the facts and circumstances of the case, this Court finds that perusal of the FIR and the investigation conducted so far clearly reveals that the petitioner along with the co-accused, namely, Mukesh Yadav has cheated the complainant on the pretext of making profit in the share market; the petitioner is a habitual offender with one more case of similar nature registered against him. In the era of digital India when the online transactions are being promoted as backbone of the commerce and finance, any compromise in their integrity causes severe repercussions for the society as a hole. These online frauds erode the trust of people in the online transactions and negatively impact the overall economy of the country.

7. In these set of circumstances, no sufficient ground is made out to extend the concession of bail to the petitioner.

8. In view of the above, the present petition is dismissed.

9. Nothing observed hereinabove shall be construed to be an expression of opinion by this Court lest it may prejudice the trial. The learned trial Court is directed to proceed with the trial on its own merits, strictly in accordance with law.

04.11.2025 **(SUBHAS MEHLA)**
renubala **JUDGE**

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