IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-13971-2025
Reserved on: 29th July, 2025
Pronounced on: 4th August, 2025

Gaurav

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. V.B. Godara, Advocate for the petitioner.

Ms. Himani Arora, Deputy Advocate General, Haryana.

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MANISHA BATRA, J :-

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. 15 dated 08.05.2024 registered under Sections 420, 467, 468, 471 and 120-B of IPC at Police Station Cyber Crime, Rewari, District Rewari.

2. Brief facts relevant for the purpose of disposal of this petition are that the aforementioned FIR was registered on the complaint lodged by Manoj Sharma alleging that he had received a notification on his social media account for online trading. He had clicked a link sent to him and was added in two *Whatsapp* groups. There were several members in those group. As advised, he started watching the trading activities as informed in that group. Then he was induced by two persons who introduced themselves online with the names of Alexis Gray and Joseph H.Davis, to start trading on

the platform provided by them. They informed him about the process via making chats individually on his Whatsapp number. Several links were sent to him to install applications for trading which he had so installed. On being induced, he had invested an amount of Rs.13,34,500/- in various accounts the details of which were given to him. However, when he tried to withdraw the same, he was not permitted to do so and more amount of money was demanded from him. Having realized that he had been cheated, he prayed for taking action in the matter. After registration of FIR, investigation proceedings were initiated. The transactions of the bank accounts of the complainant were analyzed and the details of the beneficiary accounts were obtained. It was revealed that the same was in the name of one Sunshine Lamp shade firm with the name of the proprietor as co-accused Manjit Singh. He was found to be confined in jail in some other case. His presence was secured and he was formally arrested. On interrogation, he disclosed that at the behest of the present petitioner and accused Monty, he had opened the aforementioned bank account by showing him as proprietor of Sunshine lamp shade firm. He had also given the ATM cards relating to the said account and other details to the petitioner and the co-accused in lieu of receipt of a sum of Rs. 5,000/- per month and the said account was used for the purpose of committing cyber fraud by the petitioner and other accused. On the basis of disclosure so made, the petitioner was nominated as an accused.

3. As per the further allegations, the petitioner along with the co-accused Monty was arrested on 18.11.2024. He was interrogated and suffered disclosure statement to the effect that the accused Hardeep had

offered to give him a sum of Rs. 15,000/-, if he opened bank accounts of different persons and gave the details to him. Accused Hardeep had introduced him to one Rishi Pandey and in connivance with them, the accused Monty and other co-accused with an intent to defraud public persons by committing cyber crime, he had persuaded the accused Manjit to open an account and provide details of the same in lieu of a sum of Rs. 5,000/-. He had also got prepared a rent agreement in the name of co-accused Manjit Singh in respect of a shop and was engaged in the business of getting different accounts opened for committing cyber crime. Investigation has since been completed.

4. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. He was not named in the FIR. He is in custody since long. A false recovery has been planted upon him. Investigation stands completed. Trial would take sufficient time to conclude. He is not beneficiary of any transaction. The subject offences are triable by Magistrate. His further incarceration would not serve any useful purpose. It is, therefore, argued that he deserves to be released on bail.

5. Status report has been filed. Learned State counsel has argued that keeping in view the gravity of the allegations and the part attributed to the petitioner, he does not deserve to be extended benefit of bail. Therefore, it is urged that the petition does not deserve to be allowed.

6. Rival contentions raised by learned counsel for the parties have been considered.

7. The petitioner by hatching a conspiracy with the co-accused is alleged to have induced other co-accused to open bank account in the name

of a firm by using fake documents so that the said accounts could be used for the purpose of committing online fraud by duping the complainant and other persons and by making the complainant to transfer his money into those accounts. He is also alleged to have facilitated the transfer of the said amount to different bank accounts. The entire transaction shows the complicity of the petitioner in the subject crime. He has criminal antecedents, as he is involved in three other cases of similar nature. Crimes of this nature are on the rise and have become a growing menace in today's digital age. Cyber criminals are using sophisticated methods to target public persons and institutions. A stringent approach to deter offenders is required. The gamut of above discussed circumstances does not call for grant of benefit of bail to the petitioner. Accordingly, the petition does not deserve to be allowed and is dismissed.

8. It is, however, clarified that the observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

9. Since the main petition has been dismissed, pending application, if any, is rendered infructuous.

[MANISHA BATRA]
JUDGE

4th August, 2025
Parveen Sharma

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