

2025:PHHC:119946



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

226

CRM-M No.16839 of 2025
Date of Decision: 03.09.2025

Prince Ghai ... Petitioner
Versus
State of Punjab ... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Ms. Harpreet Maini, Advocate,
for the petitioner.

Ms. Sakshi Bakshi, AAG, Punjab,
for the respondent-State.

MANISHA BATRA, J. (Oral)

1. The present petition has been filed by the petitioner under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (For short “BNSS”) seeking regular bail in the FIR mentioned below:-

FIR No.	Dated	Police Station	Sections
24	18.09.2024	Punjab State Cyber Crime, SAS Nagar, Mohali	318(4), 238 and 61(2) of the Bharatiya Nyaya Sanhita (For short ‘BNS’) and 66(C) and 66(D) of Information Technology Act, 2000

2. Brief facts relevant for the purpose of disposal of this petition are that the aforementioned FIR was registered on the basis of complaint lodged by the complainant Meenakshi Garg levelling allegations of being duped of an amount of approximately Rs.1,74,50,000/- while trading in shares online through platforms

2025:PHHC:119946



<https://app.bekisj.com> and <https://lkrept.com> that were promoted by a Whatsapp group operated through the guidance of Whatsapp accounts run by the administrators named as Professor Ankit Aggarwal and his assistant Meera.

3. After registration of FIR, investigation proceedings were initiated. It was revealed during investigation that the amount taken from the complainant was transferred to six different bank accounts by various transactions. Information about the Whatsapp group and its associated accounts was obtained and it was found that those accounts were operated from Cambodia and the websites were used to build fake trading dashboard and were registered with Alibaba Cloud. The authorities of Alibaba cloud were directed to provide information. After following the money trail, it was revealed that an amount of Rs.30 lakhs was transferred from the account of the complainant in the account run in the name of one Nalini Marketing and from the said account, transfer of amount of Rs.10,80,000/- had been made in the bank account in the name of the co-accused Rubeena Nara as on 07.09.2024. She was nominated as an accused and was arrested on 22.10.2024.

4. On interrogation, the accused Rubeena Nara suffered disclosure statement to the effect that the petitioner who was her cousin brother and co-accused Gurpreet Singh had got opened two bank accounts in her name by representing that she would be getting opportunity to earn money and will also get commission. She disclosed that the petitioner and the co-accused had kept the cheque books of the account opened in her name after getting

2025:PHHC:119946



the cheques signed from her. On her disclosure, the petitioner and co-accused Gurpreet Singh were nominated as an accused. They were arrested on 22.10.2024 from Federal Bank, Urban Estate, Ludhiana while they were planning to open bank accounts in the name of one Jasveer Kaur along with her. On conducting search, one cell phone of Oneplus Nod make, one cheque book of Yes Bank and cash amount of Rs.20,300/- was recovered at his instance. Recovery of several cheque books, three mobile phones, Debit Card, Sim Card and RC of motorcycle was effected from the accused Gurpreet Singh. The digital articles recovered from the accused were sent to DITAC Lab, Punjab for forensic examination and as per the forensic report qua the mobile phone recovered from accused Rubeena Nara, there was Whatsapp Chat between the present petitioner and Rubeena Nara about opening of these bank accounts and withdrawal of money. Co-accused Jasveer Kaur was also arrested. Investigation qua the petitioner stands concluded.

5. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case on the basis of disclosure statement of co-accused Rubeena Nara which cannot be considered to be admissible in evidence. He was working as a commission agent of the group through which the complainant had invested her money in IPO and had been cheated. However, he had no knowledge about the business and activities of the group. He was not a member of the group in which the victim had made investments. No transaction of money has been taken in his bank account. The co-accused Rubeena Nara is trying to shift blame on him though it was

2025:PHHC:119946



she whose involvement in online cyber fraud is made out. The subject offences are triable by Magistrate. He is in custody since 22.10.2024. Trial will take time to conclude. He has permanent abode. There are no chances of his absconding. He has no criminal antecedents. It is, therefore, urged that he deserves to be released on bail.

6. Status report has been filed. It is argued by learned Assistant Advocate General, Punjab that keeping in view the gravity of the allegations as levelled against the petitioner who was an active participant in the commission of offence of cheating with the victim, he does not deserve to be released on bail.

7. This Court has considered the rival submissions.

8. The petitioner is alleged to be a part of conspiracy hatched with the co-accused to deceive the complainant. In pursuance of that conspiracy, he is alleged to have convinced co-accused Rubeena Nara to open two bank accounts in her name. The entire access of those accounts had, however, been taken by the petitioner by obtaining signatures of Rubeena Nara on blank cheques and taking her cheque books. An amount of Rs.30 lakhs was deposited in those accounts but the same had been immediately withdrawn from those accounts by the present petitioner. The case of petitioner cannot be at parity with the case of the co-accused Rubeena Nara as allegations against him are much graver in 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

2025:PHHC:119946



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.

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

03.09.2025
manju

(MANISHA BATRA)
JUDGE

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