

CRM-M-18158-2025

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-18158-2025
Reserved on: 09.07.2025
Pronounced on: 29.07.2025

Sandeep Kaur and another ...Petitioner

Versus

State of Punjab ...Respondent

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Aman Pal, Advocate
for the petitioner(s).

Mr. Akshay Kumar, AAG, Punjab.

Mr. Satvir Singh, Advocate
for the complainant.

ANOOP CHITKARA, J.

FIR No.	Dated	Police Station	Sections
3	24.01.2025	Cyber Crime Police Station, Sangrur District	408, 420, 467, 506 & 120B IPC

1. The petitioner(s) apprehending arrest in the FIR captioned above have come up before this Court under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, [BNSS], seeking anticipatory bail.
2. In paragraph 28 of the bail petition, the accused declare that they have no criminal antecedents.
3. The facts and allegations are being taken from the reply filed by the State, which reads as follows:

“That the brief facts of case/FIR no. 03 dated 24.01.2025 u/s 408,420,467,506,120-B IPC P.S. Cyber Crime Sangrur are that Ashok Kumar son of Shri Prakash Chand, resident of Tsunami Leaves (Patti) Longowal submitted application PGD No. 390559 to the SSP, Sangrur and inquiry into the said application was conducted by the then DSP (Detective), Sangrur. The Inquiry Officer mentioned in his inquiry report no. 1370/5P/DSP (D), Sangrur dated 19.08.2024 that it seems no reality that the password of ID's of Ashok Kumar are with Jagtar Singh etc of opposite party. So, the application should be consigned to the record.

Thereafter, Ashok Kumar son of Shri Prakash Chand, resident of Tsunami Leaves (Patti) Longowal submitted application bearing PGD-ID 451166 against 1) Tahir Hussain resident of now Chandigarh /Zirakpur, 2) Jagtar Singh Nehal son of Karnail Singh (3) Sandeep Kaur Nehal wife of Jagtar Singh Lehal 4) Preetkamal alias Perry son of Jagtar Singh Nehal resident of Gobind Vihar, Longowal (Sangrur) (5) Jeevan Kumar son of Madan Lal, resident of Ubhawal (Sangrur) (6) Hakam Singh Rathore son of Mela Singh, resident of Shahpur Road, Longowal (Sangrur) 7) Davinder Singh resident of 5158 Sonipat, (Haryana) before the ADGP, Punjab for defrauding the complainant and his family members for approximately of Rs. 26 crores 67 Lakh rupees by the accused persons. The ADGP, marked the said application to the SSP, Sangrur and the SSP, Sangrur got the inquiry conducted through Deputy Superintendent of Police (Operation and Security), Sangrur and the Inquiry Officer submitted its report No. 96/5P/DSP/(O&S) Sangrur dated 24.01.2025 that during the inquiry, the statements of witnesses namely Kamalpal Singh son of Karam Singh, Lovjit Singh son of Pal Singh, Ranveer Singh, son of Balwant Singh, Mela Singh son of Diljit Singh, Sambodh Jain son of Prem Kumar, Balwinder Singh son of Bhola Singh, Lovely Singh son of Darbara Singh, Balveer Singh son of Dalbara Singh, Rohit Singh son of Teja Singh, Balwant Singh son of Sohan Singh, Parwinder Singh son of Karamjit Singh, Balwinder Singh son of Paramjit Singh, Avtar Singh son of Hakam Singh, Ranjit Singh son of Joginder Singh, Gurdarshan Singh son of Mahinder Singh, Jagdev Singh, son of Amar Singh, Lovepreet Singh son of Major Singh, Hardeep Singh son of Bahadur Singh residents of Longowal, Jaipal son of Satpal Singh, Sandeep Jindal son of Satpal resident of Sunam, Simranjit Singh son of Gursewak Singh, Harbans Singh son of Sher Singh, Pragat Singh son of Karnail Singh, Gurpreet Singh son of Nachattar Singh, Najam Singh son of Dalip Singh and Jagtar Singh son of Hakam Singh residents of Mander Kalan, were recorded and also obtained record regarding account detail of different banks and transaction records related to coins purchased from Methar Company and on examining the pen drive presented by complainant containing voice recordings between Ashok Kumar (complainant) with Jagtar Singh etc and from the entirety of facts, it has been found that Ashok Kumar by withdrawing Rs. 2,46,04,650/- in cash (including Rs. 1,04,650 transferred by Ashok Kumar through NEFT from his 0754000101115658 to the account No. 5020005341255 of Devinder Singh Sonipat Haryana) from his bank accounts and he after selling his sheller's fodder took Rs. 1,62,92,000/- in cash and borrowed Rs. 1,62,50,000/- from other peoples and paid the all the amount to Jagtar Singh etc, however, Jagtar Singh son of Nahar Singh, Sandeep Kaur wife of Jagtar singh, Preetkamal @ Perry (son of

CRM-M-18158-2025

Jagtar Singh), Hakam Singh (son of Mela Singh) residents of Longowal, Jeevan Kumar (son of Madan Lal) resident of Ubhawal, Tahir Hussain resident of Chandigarh, and Davinder Singh resident of Sonipat took advantage of Ashok Kumar and his family's innocence, they persuaded them to buy coins in Mether Group Company, taking undue advantage of their trust. With the clever manipulation, dishonesty, and a well-thought-out conspiracy, they collected a total of Rs. 5,15,46,650 (five crore fifteen lakh forty-six thousand six hundred fifty rupees) from Ashok Kumar and his family for purchasing M-coins from Mether Company. They issued fake receipts for the coins and failed to provide cash receipts for the amount paid. With fraudulent intent, they blocked the ID's of Ashok Kumar and his family members. The Inquiry Officer further recommended that a case should be registered u/s 406, 420, 467, 506, and 120-B IPC against Jagtar Singh, Sandeep Kaur, Preet Kamal @ Perry, Hakam Singh, Jeevan Kumar, Tahir Hussain @ Mohammad Danish and Davinder Singh. Inquiry Officer, further submitted that during the investigation, if any other individuals are found guilty, they should also be named in the case and appropriate action would be taken accordingly. The SSP, Sangrur approved the said report submitted by the DSP (O&S), Sangrur on 24.01.2025 and directed to the SHO, P.S. Cyber to register case and investigate. Accordingly, the present FIR was registered against above said 7 persons. It is submitted that the detailed contents have been mentioned in the FIR attached as Annexure P-1 by the petitioner and same are not repeated for the sake of brevity.”

4. The petitioners’ counsel prays for bail by imposing any stringent conditions and contends that pre-trial incarceration would cause an irreversible injustice to the petitioners and their family. Counsel further submits that the petitioners would have no objection whatsoever to any stringent conditions that this Court may impose, including that if the petitioners repeat the offense or commits any non-bailable offense which provides for a sentence of imprisonment for more than seven years, the State may file an application to revoke this bail before the concerned Court having jurisdiction over this FIR, which shall have the authority to cancel this bail, and may do so at their discretion, to which the petitioners shall have no objection.

5. The State’s counsel opposes bail and refers to the reply.

6. Counsel for the complainant submits that they invested on the instance of petitioners and purchased 41 lacs of M-coin, out of which, ten lacs of M-coins redeemed by them and they went to redeem the all but petitioner not allowed them and blocked their IDs and now the remaining M-coins value is almost similar to the deposit amount.

7. It would be appropriate to refer to the following portions of the reply, which read as follows:

CRM-M-18158-2025

“The role of the petitioners is that as per the record presented by complainant Ashok Kumar, Sandeep Kaur (ID No. Nehal-4) (petitioner No. 1) is Executive in Mether Company and his son Preet Kamal @ Peery (ID No. Nehal-5) (petitioner No. 2) is the Director in said company. Many Id's of different persons are found running under the Id's of both the petitioner. Out of these Id's of different persons, the Id No. Ashok643 of complainant Ashok Kumar, ID Rahul643 of Rahul Gar, ID No. Meenakshi643 is Meenakshi, ID No. Ashokgarg643 of Ashok Kumar (complainant) are found running. As per documents presented by complainant Ashok Kumar, \$29,609,240 US Dollar are found shown as profit in the ID No. Nehal4 of Sandeep Kaur (petitioner No. 1) and as per documents presented by complainant Ashok Kumar, \$29,603,180.00 US Dollar are found shown as profit in the ID No. Nehals of Preet Kamal @ Parry (petitioner No. 2). The involvement of the petitioners/accused has been duly substantiated in the commission of present offence.”

REASONING:

8. The amount which was paid by complainant, found invested in purchase of M-coins and nothing was found handled by the petitioners, whether the complainant wants to withdraw or not or petitioners with malafide intention not allowed him to withdraw the same, is matter of trial. Pre-trial incarceration should not be a replica of post-conviction sentencing. The evidence might be prima facie sufficient to launch prosecution or to frame charges, but this Court is not considering the evidence at that stage but is analyzing it for the stage of anticipatory bail. An analysis of the above does not justify custodial interrogation or pre-trial incarceration.
9. Given the above, the penal provisions invoked coupled with the prima facie analysis of the nature of allegations and the other factors peculiar to this case, there would be no justifiability for custodial interrogation or the pre-trial incarceration at this stage. Without commenting on the case's merits, in the facts and circumstances peculiar to this case, and for the reasons mentioned above, the petitioners make a case for bail.
10. Given above, provided the petitioners are not required in any other case, the petitioners shall be released on anticipatory bail in the FIR captioned above subject to furnishing bonds to the satisfaction of the Arresting Officer, and if the matter is before a Court, then the concerned Court and due to unavailability before any nearest Ilaqa Magistrate/duty Magistrate. Before accepting the surety, the concerned Officer/Court must be satisfied that if the accused fails to appear, such surety can produce the accused.
11. While furnishing a personal bond, the petitioners shall mention the following personal identification details:

1.	AADHAR number	
2.	Passport number (If available) and when the	

	attesting officer/court considers it appropriate or considers the accused a flight risk.	
3.	Mobile number (If available)	
4.	E-Mail id (If available)	

12. This order is subject to the petitioners’ complying with the following terms.
13. The petitioners are directed to join the investigation as and when called by the Investigator. The petitioners shall be in deemed custody for Section 27 of the Indian Evidence Act, 1872/ Section 23 of BSA, 2023. The petitioners shall join the investigation as and when called by the Investigating Officer or any Superior Officer and shall cooperate with the investigation at all further stages as required. In the event of failure to do so, the prosecution will be open to seeking cancellation of the bail. During the investigation, the petitioners shall not be subjected to third-degree, indecent language, inhuman treatment, etc.
14. The petitioners shall abide by all statutory bond conditions and appear before the concerned Court(s) on all dates. The petitioners shall not tamper with the evidence, influence, browbeat, pressurize, induce, threaten, or promise, directly or indirectly, any witnesses, Police officials, or any other person acquainted with the facts and circumstances of the case or dissuade them from disclosing such facts to the Police or the Court.
15. In case the Investigator/Officer-In-Charge of the concerned Police Station arraigns another section of any penal offense in this FIR, and if the new section prescribes a maximum sentence that is not greater than the sections mentioned above, then this bail order shall be deemed to have also been passed for the newly added section(s). However, suppose the newly inserted sections prescribe a sentence exceeding the maximum sentence prescribed in the sections mentioned above; then, in that case, the Investigator/Officer-In-Charge shall give the petitioners notice of a minimum of seven days, providing an opportunity to avail the remedies available in law.
16. The significant consideration for granting bail is that the Court aims to give the petitioners another chance to course-correct, reform, and reintegrate into the community as an ideal citizen. To ensure that the petitioners also abides by the assurance made on the petitioners’ behalf by not repeating the offence or indulging in any crime, it shall be desirable to impose the following additional condition.
17. This bail is conditional, with the foundational condition being that if the petitioners repeat the offense or commits any non-bailable offense which provides for a sentence of imprisonment for more than seven years, the State shall file an application to revoke this bail before the concerned Court having jurisdiction over this FIR, which shall have the authority to cancel this bail, and as per their discretion, they may cancel this bail.

CRM-M-18158-2025

18. Any observation made hereinabove is neither an expression of opinion on the case's merits nor shall the trial Court advert to these comments.

19. A certified copy of this order would not be needed for furnishing bonds, and any Advocate for the Petitioners can download this order along with case status from the official web page of this Court and attest it to be a true copy. If the attesting officer wants to verify its authenticity, such an officer can also verify its authenticity and may download and use the downloaded copy for attesting bonds.

20. Petition allowed in terms mentioned above. All pending applications, if any, stand disposed of.

(ANOOP CHITKARA)
JUDGE

29.07.2025
anju rani

Whether speaking/reasoned: Yes
Whether reportable: No.