



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

223

CRM-M-22434-2025
Decided on : 07.07.2025

Sugun Dubey . . . Petitioner(s)
Versus
State of Haryana . . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. Abhishek Sharma, Advocate
for the petitioner(s).

Mr. Surender Singh Pannu, Addl. AG, Haryana.

Mr. Parvesh Malik, Advocate
for the complainant.

SANJAY VASHISTH, J. (Oral)

1. At the outset, learned State counsel has filed the status report dated 06.07.2025 and custody certificate dated 04.07.2025 in Court today, which are taken on record, subject to all just exceptions. Office to tag the same at appropriate place.

Copies thereof have been handed over to the opposite counsel.

2. The instant petition has been filed under Section 483 of BNSS, 2023 (earlier Section 439 Cr.P.C.), for grant of regular bail to the petitioner, during the pendency of trial, who has been booked in a criminal case arising out of First Information Report, as detailed hereunder:-

Name of Petitioner(s)	FIR No.	Date	Section(s)	Police Station	District
Sugun Dubey	05	15.01.2024	420, 201, 467, 468, 471, 120-B of IPC	Cyber Crime	Sonepat

3. The complainant – Puneet Chawla, got registered an FIR bearing No.05 dated 15.01.2024, alleging therein that he had invested a sum of



₹25,45,000/- in share trading through an online platform. However, when he attempted to withdraw the said amount, he was informed over a mobile call that unless he deposits an additional sum of ₹10,00,000/-, his request for withdrawal would not be processed. Upon verification, it was revealed that he had already been duped and had fallen victim to a cyber crime, having been cheated of the amount of ₹25,45,000/-.

4. From the status report dated 06.07.2025, learned State counsel submits that the details of the investments made by the complainant from 07.12.2023 to 04.01.2024 in the share market, as well as the particulars of the amounts deposited by him from his Bank Account No. 02195110000189 maintained with Yes Bank, IFSC Code YESB00000, have been furnished. The said details reflect deposits made during the period from 04.12.2023 to 02.01.2024, aggregating to a total sum of ₹25,45,000/-.

5. From the perusal of the status report, learned State counsel seeks to project that upon suspicion arising on 22.10.2024, Harpreet Singh, proprietor of Bank Account No. 3709002100113496 with Punjab National Bank, was arrested. During interrogation, he suffered a disclosure statement, wherein he not only admitted his guilt but also named the other co-accused, namely Gautam Talwar, Anuj, and Shugun Dubey (petitioner herein). As per the disclosure statement of Harpreet Singh, he was paid a commission of ₹60,000/- for opening each such account.

However, status report does not disclose whether said Harpreet Singh had opened any other bank account in any other bank. Even upon being specifically asked by this Court, learned State counsel, could not furnish particulars of any other bank accounts purportedly opened by



Harpreet Singh.

Furthermore, from the status report, it is also not evident that apart the disclosure statement of co-accused Harpreet Singh, what other incriminating material is available with the prosecution to substantiate the allegation that the petitioner is directly involved in either opening the said account or receiving any share of the amount with which the complainant has been defrauded.

6. During the course of hearing, another fact which has come to light is that at the time when the co-accused – Harpreet Singh, made his disclosure statement, present petitioner – Shugun Dubey, was already in police custody in connection with FIR No.205, dated 29.07.2024, registered under Sections 420, 467, 468, 471, 120-B of IPC and Section 66-D of IT Act, at Police Station Cyber Crime West Gurugram, Gurugram.

Even, it has not been pointed out by the learned State counsel whether, during the course of interrogation pursuant to the petitioner's arrest in FIR No.205/2024, any disclosure statement was recorded implicating the petitioner in the present offence.

Therefore, after considering all the facts and circumstances and examining the matter from every relevant angle, this Court is of the view that in the absence of any unimpeachable and admissible evidence directly connecting the petitioner, it would place a heavy burden upon the prosecution to establish the charges against the petitioner, and said stage is yet to arrive, as the trial has not commenced (till date no witness has been examined, as informed).



Apart the aforementioned, all the alleged offences are subject matter of magisterial trial and petitioner is already there inside jail, w.e.f., 21.12.2024. At this stage, nothing is to be recovered from the petitioner's possession and the case would much depend upon the documentary, scientific and electronic evidence.

7. On the other hand, learned State counsel has vehemently opposed the prayer for grant of bail to the petitioner. However, he is unable to controvert any of the factual submissions made by learned counsel for the petitioner or those recorded here-above. It is submitted by learned State counsel that the petitioner is also involved in another case of a similar nature.

In support of his submissions, learned State counsel has placed reliance upon the custody certificate as well as the status report filed in Court today.

However, in response thereto, learned counsel for the petitioner has pointed out that in the said case, petitioner has already been granted the concession of bail.

8. Considering the totality of circumstances, and the submissions addressed by both sides, and without expressing any opinion on the merits of the case, I deem it appropriate to grant the concession of bail to the petitioner.

9. Consequently, prayer made in the present petition is **allowed**. Petitioner is ordered to be released on bail, subject to his furnishing bail/surety bonds to the satisfaction of the learned trial Court/ Chief Judicial Magistrate/ Illaqa Magistrate/ Duty Magistrate concerned, if not required in any other case.

10. Needless to observe that the petitioner shall not extend any threat



and shall not influence any prosecution witness in any manner directly or indirectly.

11. The observation made here-in-above shall not be construed as an expression of opinion on the facts of the case and the Trial Court is expected to decide the case on the basis of complete evidence available on record.

12. Petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

July 07, 2025
J.Ram

Whether speaking/reasoned: Yes/~~No~~
Whether Reportable: Yes/~~No~~