



CRM-M-27485-2025(O&M)

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**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

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CRM-M-27485-2025 (O&M)
Date of decision: 29th August, 2025

Ajrudeen @ Azruddin

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Akash Sheoran, Advocate for the petitioner.
Mr. Neeraj Poswal, Assistant Advocate General, Haryana.

MANISHA BATRA, J (ORAL):-**CRM-32226-2025**

Allowed as prayed for.

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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. 19 dated 15.01.2025 registered under Sections 318(4), 336(3), 338 and 340 of Bharatiya Nyaya Sanhita, 2023 (for short 'BNS') at Police Station Cyber Crime (West) Gurugram, District Gurugram.

2. The aforementioned FIR was registered on the complaint lodged by the complainant Laxmad alleging that he was residing as a tenant in Saraswati Enclave, Gurugram. He had met the petitioner and co-accused Sahun, who had asked him to open a bank account under *Jan Dhan Yojna* by representing that he would be receiving a sum of Rs. 7000/- per month from the Government under the said scheme. Believing the petitioner and the co-



accused, the complainant opened an account for himself and in the name of his wife Seema Bodhan in Canara Bank, Sector 10, Branch, Gurugram. The petitioner and the co-accused had arranged some rent agreement which was to be submitted in the bank. They also obtained new SIM cards fraudulently in the name of the complainant and his wife. After opening of the bank accounts, they took the ATM cards and the SIM cards of phone numbers issued in the name of complainant and his wife by saying that the same would be returned to them after getting their names registered in the government office under *Jan Dhan* scheme. The complainant alleged that those accounts were opened on 06.12.2024 but till date the petitioner and the co-accused did not return the ATM cards or mobile SIM cards of their phones. He alleged that he had made inquiries from the bank and had come to know that transaction of huge amount of money had taken place in their bank accounts. By suspecting that the petitioner and the co-accused had used the bank accounts, phone numbers and ATM cards of himself and his wife for committing some fraud, he prayed for taking action.

3. On his complaint, the aforementioned FIR was registered. Investigation proceedings were initiated. The petitioner and co-accused Sahun were arrested on 15.01.2025. They were interrogated and suffered disclosure statements admitting that they had induced the complainant to open bank account in the name of his wife and himself on the premise of getting a sum of Rs. 7000/- per month under *Jan Dhan* scheme of the government and in fact, those accounts had been used by them for cyber fraud. The petitioner also got recovered one Apple i-phone along with the SIM number 9050824709. Investigation now stands completed and the petitioner along with the co-accused is facing trial for commission of



aforementioned offences.

4. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. No recovery is to be effected from him. He has been in custody since 15.01.2025. The subject offences are triable by Magistrate. His further incarceration would not serve any useful purpose. It is, therefore, urged that he deserves to be released on bail.

5. Status report has been filed by respondent-State. It is argued by learned State counsel that there are serious and specific allegations against the petitioner, who in connivance with the co-accused had induced the complainant to open bank accounts in the name of his wife and himself by saying that they would be getting money under the government welfare scheme but instead thereof, the said accounts had been used by the petitioner and co-accused for committing cyber fraud. The material witnesses are yet to be examined. The petitioner is a habitual offender as one more case of similar nature is pending against him. There are chances of his absconding, committing similar offences, or intimidating the witnesses, if extended benefit of bail. Therefore, it is urged that the petition does not deserve to be allowed.

6. This Court has heard learned counsel for the parties at considerable length and has gone through the record carefully.

7. The petitioner along with the co-accused is alleged to have induced the complainant to open bank accounts in their names on the pretext of getting them connected with *Jan Dhan Yojna*. The petitioner even took SIM card numbers and ATM cards of the complainant and his wife. However, though unauthorized financial transactions are alleged to have been carried out through these bank accounts but the status report is silent on



this point. The petitioner has been in custody since 16.01.2025. The subject offences are triable by Magistrate. The trial will take considerable time to conclude. The involvement of the petitioner in a similar case cannot be considered to be sole reason for denying benefit of bail to him. Keeping in view the above discussed fact but without meaning to make any comment on the merits of the case lest they prejudice the trial in any manner, this Court is of the opinion that the petitioner deserves to be released on bail. Accordingly, the petition is allowed and the petitioner is ordered to be released on bail, subject to his furnishing personal bonds and surety bonds by two sureties to the satisfaction of the learned trial Court/Chief Judicial Magistrate/ Duty Magistrate concerned. He shall disclose his present as well as permanent address before the learned trial Court at the time of furnishing of bonds and shall also give copy of his Aadhar Card, PAN Card if any and details of his mobile phone number(s) to the learned trial Court and in case, any change in his address or mobile phone number(s) takes place, then he shall inform about the same to the learned trial Court in advance.

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 allowed, pending application, if any, is rendered infructuous.

10. This order shall come into force from the time it is uploaded on this Court's official webpage.

[MANISHA BATRA]
JUDGE

29th August, 2025

Parveen Sharma

1. *Whether speaking/ reasoned*
2. *Whether reportable*

: *Yes / No*
: *Yes / No*