



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

231

CRM-M-28473-2025
Decided on : 03.11.2025

SURENDER LODHIPetitioner
Versus
STATE OF HARYANARespondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Shubham Kaushik, Advocate,
for the petitioner.

Mr. Pawan Kumar Jhanda, Sr. DAG, Haryana.

SANJAY VASHISTH, J.

1. 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
Surender Lodhi	0123	29.10.2024	318(4), 61(2) of BNS	Cyber Crime	Hisar

2. Learned counsel for the petitioner contends that, as per the allegations, complainant Vinay Kakkar was allegedly allured by the petitioner and his co-accused, by committing a cyber fraud of Rs.35,75,000/- against him. Complainant was induced to transfer the said amount into several bank accounts after being asked to join a WhatsApp group purportedly meant for investing in the share market. Counsel further submits that it was, in fact, complainant himself who voluntarily



joined the WhatsApp group in the hope of earning hefty profit in a short span of time.

It is argued that the petitioner cannot be attributed any specific role in defrauding the complainant for the entire amount of Rs.35,75,000/-, as the primary allegations relate only to the receipt of Rs.14,50,000/- in the petitioner's Bandhan Bank account from the complainant's Axis Bank account. The said account, as per the investigation, was allegedly used merely to facilitate transactions for co-accused Manish Solanki and others, and was not operated independently by the petitioner for personal gain.

3. Learned counsel for the petitioner further submits that the offences alleged are mostly triable by the Court of learned Magistrate, and petitioner is in custody since 04.02.2025, having thus, undergone more than ten months of incarceration. Despite this, trial has not progressed satisfactorily, as only 01, out of 11 prosecution witnesses examined, so far. Thus, counsel prays that petitioner be granted the concession of regular bail.

4. Learned State counsel has filed status report dated 31.10.2025 in the Court today and the same is taken on record.

5. Learned State counsel is unable to controvert the submission advanced by learned counsel for the petitioner that petitioner is in custody since 04.02.2025, i.e., for a period of about ten months.

As per paragraph No.16 of the status report, petitioner is not the main accused; rather, he was found to have facilitated the fraudulent transactions by providing his complete bank account kit to co-accused



CRM-M-28473-2025

3

Manish Solanki, for which he allegedly received an amount of Rs.1,00,000/-. Nevertheless, learned State counsel prays for dismissal of the present petition.

6. This Court has heard the submissions addressed by counsel for the parties and has also gone through the record available before it.

7. In view of totality of circumstances, and the facts/allegations levelled against the petitioner, and the factors noticed hereinabove, this Court deems it appropriate to grant the concession of bail to the petitioner.

8. 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.

9. Needless to observe that the petitioner shall not extend any threat and shall not influence any prosecution witness in any manner directly or indirectly.

10. Any of the discussion done and recorded here above, shall not be construed as an expression of opinion on the facts of the case. Therefore, trial Court is expected to decide the case by taking an independent view, on the basis of evidence available on record, as expeditiously as possible, in accordance with law.

11. Petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

03.11.2025

Lavisha

Whether Speaking/Reasoned: YES/NO
Whether Reportable: YES/NO