IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-31977-2025
Reserved on: 27th August, 2025
Pronounced on: 4th September, 2025

Ashok Kumar

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. R.K. Choudhary, Advocate for the petitioner.

Ms. Himani Arora, Deputy Advocate General, Haryana.

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MANISHA BATRA, J :-

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. 35 dated 13.08.2024 registered under Sections 420, 467, 468, 471, 120-B, 201 and 204 of IPC and Section 66-D of Information Technology Act at Police Station Cyber Crime, Rewari, District Rewari, Haryana.

2. The aforementioned FIR was registered on the basis of a complaint lodged by the complainant Rajinder Singh alleging that he had four insurance policies issued by HDFC Life Insurance. There was some issue qua release of amount of these policies on their maturity as the insurance company was making payment of lesser amount than calculated. In February 2022, he received calls from two persons. The callers introduced

themselves as employees of HDFC Life Insurance Department. On their asking, the complainant lodged a complaint on 04.02.2022 qua his grievance. He was also sent some emails. His complaint was then transferred to one Neha, who too projected herself an insurance agent of HDFC insurance company and asked him to submit copy of his PAN card, Aadhaar card, cancelled cheque and his income tax return for the year 2020-2021. He kept on receiving calls from different persons who represented themselves as employees of HDFC Life Insurance. On 09.02.2022, he received a call from one Mansi who induced the complainant to take a new policy of Bharti AXA Life Policy by saying that he would be earning good profit on the same within two years. On being induced by her and by some other persons who made calls to him, the complainant took a new policy valued at the rate of Rs. 15,62,000/- on 24.02.2022. Sometime thereafter, he received another call calling upon to provide dividend of all the four policies which were in dispute. He was further induced to transfer an amount of Rs. 45,79,674/- on the premise that new policies will be opened in his name and he would get a sum of rupees more than one crore. The callers had been representing to be officials of government entities and had mentioned the names of their companies as National Payments Corporation of India, National Insurance Depository, National Securities Depository Limited. Subsequently, he realized that he had been duped of his money and suffered total loss to the tune of Rs. 58,16,826/- by being a victim of cyber fraud. After registration of FIR, investigation proceedings were initiated. Call detail records of the suspicious mobile numbers from whom the complainant had received calls during the entire span of time were collected. The bank account details were also collected and it transpired that as per the details, the name and address of the KYC of the account holder was found to be Shri Ram. The address given in the bank account was, however, found to be fake. Similarly, other accounts in which the money of the complainant was deposited were also found to be in the names of fake persons with fake addresses. During further investigation, two credit cards were recovered from the petitioner and the co-accused Lokendra and the same were found to be linked to two different accounts operative in the names of Ajit and Shivam. KYC details of these bank accounts were analyzed and it transpired that the same were having particulars of an employee ID in the name of the petitioner. It was found that the petitioner had opened both these accounts at RBL Bank and handed over the same to the co-accused Lokendra for committing online fraud.

3. As per the further allegations, the investigation also revealed that the details of Consumer Application Form (CAF) ID of the mobile numbers from where calls were made to the complainant had also been obtained and their IP addresses were also obtained. It was revealed that the CAF ID pertained to the accused Lokendra. He was arrested on 09.01.2025. On conducting search two mobile phones having different SIM cards were recovered. On interrogation, accused Lokendra suffered disclosure statement admitting his involvement in the crime and also disclosed the name of the the petitioner-Ashok. At the instance of co-accused Lokendra, an amount of Rs 6,00,000/- was got recovered.

4. The present petitioner was arrested on 09.01.2025. He was interrogated and suffered disclosure statement admitting his involvement with co-accused Lokendra in the subject crime. He got recovered a cell

phone. It transpired that there was *Whatsapp* chat between the petitioner and co-accused Lokendra. Investigation now stands completed and the petitioner along with the co-accused is facing trial for commission of aforementioned offences.

5. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. He was not named in the FIR. He has no dealings with the co-accused. He was working in RBL bank, Noida and the only work assigned to him is opening saving bank accounts. His own bank account had never been used for transaction of any fraud money. No incriminating material has been recovered from him. The ingredients for commission of subject offences have not been attracted against him at all. He is not beneficiary of any transaction. He hails from a respectable family. His further incarceration would not serve any useful purpose. It is, therefore, urged that he deserves to be released on bail.

6. Status report has been filed. It is argued by learned State counsel that keeping in view the gravity of the allegations as leveled against the petitioner he does not deserve to be extended benefit of bail. Therefore, it is urged that the petition does not deserve to be allowed.

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

8. The petitioner who was a bank employee, in connivance with the co-accused Lokendra is alleged to have provided fake bank accounts to defraud the complainant. He is alleged to have participated in the cyber fraud committed upon the complainant in connivance with the co-accused. SIM cards are also alleged to have been provided by him to the co-accused.

The allegations against the petitioner are serious 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 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.

10. Since the main petition has been dismissed, pending application, if any, is rendered infructuous.

[MANISHA BATRA]
JUDGE

4th September, 2025
Parveen Sharma

1. Whether speaking/ reasoned : Yes / No
2. Whether reportable : Yes / No