

**CRWP-6914-2025****1****132 IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH****CRWP-6914-2025****Date of Decision: 03.07.2025****RAHUL SINGH SHEKHAWAT AND ANR .....PETITIONERS****VERSUS****STATE OF OF HARYANA AND OTHERS ....RESPONDENTS****CORAM: HON'BLE MR. JUSTICE H.S.GREWAL**

Present: Mr. Himmat Singh, Advocate and  
Mr. Amanpreet Singh, Advocate for the petitioners.

Ms. Ankita Ahuja, AAG, Haryana.

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**H.S. GREWAL, J. (ORAL)**

1. This petition has been filed for quashing the arrest of the petitioners effected on 21.05.2025 in case FIR No. 37 dated 06.04.2025 registered at Police Station Cyber Crime, Ambala; the remand orders dated 22.05.2025, 25.05.2025 and 28.05.2025; released the petitioners from the custody.

2. The case of the prosecution is that the petitioners along with other co-accused have committed a fraud of Rs. 5.8 crores that was received in their account and subsequently withdrawn by them which was handed over to the co-accused. The petitioners were engaged in committing cyber crime and deceiving innocent persons.

3. Learned counsel for the petitioners submits that the only evidence against the petitioners is the disclosure statement of the co-accused which is not admissible in evidence. He further submits that

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the grounds of the arrest were not communicated to the petitioners. He has relied upon judgments passed by the Hon'ble Supreme Court in *Vihaan Kumar vs. State of Haryana (2025) SCC Online SC 269* and *Prabir Purkayastha v. State (NCT) Delhi, (2024) 8 SCC 254*. He further submits that this is a violation of the Fundamental right guaranteed under Article 22(1) of the Constitution of India. As held by the Supreme Court in *Vihaan Kumar (Supra)* and *Prabir Purkayastha (Supra)* any infringement of this right would vitiate the process of arrest. Therefore, the arrest is illegal and deserves to be set aside.

4. Learned State counsel has refuted the above said fact and submits that notices under Section 35 of BNSS were duly executed upon the petitioners and thereafter during remand also, the petitioners were represented by the counsel. Therefore the provisions of law have been duly complied with. She further submits that an amount of Rs. 22,000/- has been recovered from the petitioners.

5. I have heard the submissions made by the learned counsel for the parties and gone through the record.

6. There is no other evidence collected against the petitioners except the disclosure statement made by the co-accused. The recovery of Rs.22,000/- from the petitioners cannot be presumed to be linked with the case. The petitioners are in custody since 25.05.2025, therefore, the continuous detention of the petitioner would not serve the ends of justice, this Court deems it a fit case to grant the concession of bail to the petitioners during the pendency of the trial.



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7. Without commenting upon the merits of the case, the instant petition is disposed of. The petitioners are ordered to be released on bail on their furnishing requisite bail bonds, surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate concerned. The petitioners are directed to join the investigation as and when required.

8. It is clarified that if on bail so granted through the instant order, the petitioners are found indulging in any other criminal activities it shall be open to the State to seek cancellation of their bail.

9. Pending applications, if any, shall also stand disposed of.

**03.07.2025**

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**(H.S.GREWAL)**  
**JUDGE**

Whether speaking/ reasoned :  
Whether Reportable :

Yes/No  
Yes/No