



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

234

**CRM-M No.35694 of 2025
Date of decision : 24.7.2025**

Sunil**Petitioner**
Versus
State of Haryana**Respondent**

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present: Mr. Sunny Tyagi, Advocate, for the petitioner

Mr. Gurmeet Singh, AAG, Haryana

SUMEET GOEL, J. (ORAL)

1. Present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') for grant of regular bail to the petitioner in case FIR No.88 dated 30.6.2024, under Section 420 of IPC (Sections 201, 120-B of the IPC and Sections 66 (C) and 66 (D) of Information Technology Act, 2000 added later on), registered at Police Station Cyber Crime, NIT, Faridabad.

2. The case set up in the FIR in question (as set out in the present petition by the petitioner) is as follows:-

'Sir, on receipt of complaint number 3198-P dated 13.05.2024 and 21305240017675 dated 11.05.2024 through the portal in the police station of Megha Agarwal daughter of late Devendra Kumar, resident of D Block 436, Dabua Colony, 27 Feet Road, NIT Faridabad, and the complainant was included in the investigation, who also submitted a separate application. in this regard, the contents of which are as under: To, The



SHO, Cyber Crime Police Station, NIT Faridabad. Subject: For committing fraud of Rs.8,95,900/-. Respected Sir, I Megha Agarwal daughter of late Devendra Kumar, resident of D Block 436, Dabua Colony, 27 Feet Road, NIT Faridabad 121001. A fraud of Rs. 8,95,900/ has been committed with me on 11th May 2024. I was contacted on WhatsApp, on 10th May 2024, I received a message on my mobile no.8700649690 from an unknown mobile no.918436952986, asking me to earn part time extra income. After that they asked me to contact Aarushi Sharma (Telegram ID: @AS954413) on Telegram. Aarushi added me to a group where I was asked to post reviews of hotels and hospitals, for which I was paid Rs.50/- per review and was asked to give a return of 40% on every Welfare Task. I got total of Rs.1400/- on reviews. In Welfare Task, instead of reviews, there will be trading on Crypto Currency on their personal website (<https://32dwk.com>) which will give 40% return on every investment. To complete a the Welfare Task, I was asked to contact Telegram ID: @kumar_7797. On 11th May 2024, I was asked to post reviews in 3 at tasks for which I was given Rs.300/ and after that I was told that I have to do least one OI five Welfare Tasks. Telegram ID: @kumar_7797 added me to 5000 Order Group (this is the name of the group) to do Welfare Task. I paid Rs.5,000/- for Welfare Task via UPI ID 9337595587-2@ybl, Rs.45,000/- via UPI ID upipaybank@ibl, Rs.50,000/- via Indusland Bank, A/ 188583928677, Rs.4,500/- via UPI ID 8769048144@amazonpay, Rs.50,000/-via HDFC Bank, A/C: 50100677775458, Rs. 50,000/- via UTKARSH Bank, A/C: 1719019619881459, via my AXIS BANK, A/C: 5992221227. I paid 2,49,400/- for Welfare Task through HDFC Bank, A/C: 50100375390820, ₹ 1,00,000 for Axis Bank, A/C: 9240200008932098, ₹1,00,000 for SBI, A/C: 32821640532, ICICI BANK, A/C: 081501504290. I paid ₹1,96,500/- for Welfare Task through Punjab Nation Bank, A/C: 0136000100331611, BANK IT SERVICES PVT. LTD. (Money Portal), Payment Gateway: RAZORPAY. After completion of the task, they asked me to contract their finance department Telegram ID: @Elder12220 so that the profit could be taken into the account, but the finance department refused to give me the money saying that my credit score has come down from 100 to 80 according to their website and I will be able to withdraw the money only after bringing it back to 100. To bring it back to 100, they asked me for more money which I did not give. For which I have lodged an online



complaint through Acknowledgement No.21305240017675. I humbly request you to help me to get back the amount of Rs.8,95,900/- which was fraudulently received from me. I will be very grateful for your cooperation. Sd/-Megha Name: Megha Agarwal Father's Name: Late Devendra Kumar, Mobile Number: 8700649690.'

3. Learned counsel for the petitioner has argued that the petitioner has been falsely implicated into the FIR in question. Learned counsel has submitted that the allegation at the most, against the petitioner is of having provided a mule account to the main accused who has allegedly defrauded the petitioner. Learned counsel for the petitioner has further submitted that the investigation in the case is complete and conclusion of the trial will take its own time. Thus, regular bail is prayed for.

4. Learned State counsel has filed reply/status report by way of affidavit of Monica, HPS, Assistant Commissioner of Police, NIT, Faridabad in Court today which is kept on record. Learned State counsel raising submissions in tandem with the said reply, has opposed the present petition by arguing that the allegations raised are serious in nature and the petitioner is actively involved in online fraud. Learned State counsel has further submitted that the petitioner is a habitual offender and is involved in other cases as well.

5. I have heard counsel for the parties and have gone through the available records of the case.

6. The petitioner was arrested on 19.3.2025 whereinafter investigation was carried out and challan stands presented on 9.5.2025. Total 12 prosecution witnesses have been cited but none has been examined till date. It is, thus, indubitable that conclusion of the trial will



take its own time. The trial emanating from the FIR in question is a magisterial one. The rival contention raised at Bar give rise to debatable issues which shall essentially be ratiocinated upon during the course of trial. This Court does not deem it appropriate to delve deep into these rival contentions, at this stage, lest it may prejudice the trial. Nothing tangible has been brought forward to indicate the likelihood of the petitioner absconding from the process of justice or interfering with the prosecution evidence.

6.1 As per custody certificate dated 23.7.2025 filed by learned State counsel, the petitioner has already suffered incarceration for a period of four months and five days. As per the said custody certificate, the petitioner is stated to be involved in another FIR under Section 420 of IPC etc. Indubitably, the antecedents of a person are required to be accounted for while considering a regular bail petition preferred by him. However, this factum cannot be a ground sufficient by itself, to decline the concession of regular bail to the petitioner in the FIR in question when a case is made out for grant of regular bail *qua* the FIR in question by ratiocinating upon the facts/circumstances of the said FIR. Reliance in this regard can be placed upon the judgment of the Hon'ble Supreme Court in *Maulana Mohd. Amir Rashadi v. State of U.P. and another, 2012 (1) RCR (Criminal) 586*; a Division Bench judgment of the Hon'ble Calcutta High Court in case of *Sridhar Das v. State, 1998 (2) RCR (Criminal) 477* & judgments of this Court in *CRM-M No.38822-2022* titled as *Akhilesh Singh v. State of Haryana*, decided on 29.11.2021, and *Balraj*



v. State of Haryana, 1998 (3) RCR (Criminal) 191.

Suffice to say, further detention of the petitioner as an undertrial is not warranted in the facts and circumstances of the case.

7. In view of above, the present petition is allowed. Petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the Ld. concerned CJM/Duty Magistrate. However, in addition to conditions that may be imposed by the concerned CJM/Duty Magistrate, the petitioner shall remain bound by the following conditions:-

- (i) The petitioner shall not mis-use the liberty granted.
- (ii) The petitioner shall not tamper with any evidence, oral or documentary, during the trial.
- (iii) The petitioner shall not absent himself on any date before the trial.
- (iv) The petitioner shall not commit any offence while on bail.
- (v) The petitioner shall deposit his passport, if any, with the trial Court.
- (vi) The petitioner shall give his cell-phone number to the Investigating Officer/SHO of concerned Police Station and shall not change his cell-phone number without prior permission of the trial Court/Illaqa Magistrate.
- (vii) The petitioner shall not in any manner try to delay the trial.

8. In case of breach of any of the aforesaid conditions and those which may be imposed by concerned CJM/Duty Magistrate as directed hereinabove or upon showing any other sufficient cause, the State/complainant shall be at liberty to move cancellation of bail of the petitioner.



- 9. Ordered accordingly.
- 10. Nothing said hereinabove shall be construed as an expression of opinion on the merits of the case.

(SUMEET GOEL)
JUDGE

24.7.2025
Ashwani

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No