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

CRM-M-42253-2025

Decided on : 08.08.2025

Ankit Pal

..... Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Anand Rohilla, Advocate, for the petitioner.

Mr. Diya Sodhi, Sr. DAG, Haryana.

Rajesh Bhardwaj, J.

1. Prayer in the present petition is for grant of regular bail to the petitioner in a case FIR No.38 dated 20.02.2025, registered under Sections 318(4), 351(2) and 61 BNS, 2023, at Police Station Cyber Crime, Karnal.

2. Succinctly facts of the case are that FIR in the present case was lodged on the statement of complainant Subhash Wadhawan. It was alleged that on 18.02.2025 at about 3:00 P.M., he received a call, wherein, he was told that it was Neha Sharma who was speaking from the Police Station and the complainant was told that there were 11 cases registered against him. He was threatened to pay the amount, failing which he would be arrested and taken to Mumbai. Under this threat, the petitioner was compelled to deposit the amount in the accounts given. It was alleged that unknown persons threatened him with digital arrest and defrauded him for an amount of Rs.62,51,306/- and he was threatened to be killed as well. Request was made to take legal action against the accused. On the registration of the FIR, the investigation commenced. During the investigation, complicity of the petitioner surfaced and he was also arrayed as an accused. The petitioner was arrested on 19.02.2025. He approached the Court of learned Addl. Sessions Judge, Karnal, praying for grant of regular bail. However, learned



Court after hearing both the sides, finding no merit in the petition filed by the petitioner, dismissed the same vide order dated 20.05.2025. Hence, aggrieved by the same, the petitioner has approached this Court by way of filing the present petition praying for grant of regular bail.

3. Learned counsel for the petitioner has vehemently contended that the petitioner has been falsely implicated in the present case. He submits that neither the petitioner is named in the FIR, nor any overt act has been attributed to him. He submits that the petitioner has been roped in the present case only on the basis of his whatsapp chat. He submits that the electronic evidence in the absence of certificate under Section 65 B of the Indian Evidence Act, 1872, has no evidentiary value and thus, no *prima facie* case is made out against the petitioner. He submits that there is no direct evidence or recovery against the petitioner for the alleged offence. He further submits that the investigation is complete and charges have been framed. He, thus, submits in the overall facts and circumstances of the present case, the petitioner deserves to be granted regular bail.

4. *Per contra*, learned State counsel has vehemently opposed the submissions made by counsel for the petitioner. She has submitted that the petitioner is a habitual offender. It is submitted that during the investigation, complicity of the petitioner has surfaced, wherein, whatsapp chat from his mobile phone has been found to have been made with co-accused Brijveer, Anurag, Sandeep and several accounts were also given with their user ID. It is submitted that fraud involved in the present case has been found to be of Rs.1 crore 15 lacs. She has also submitted that as per investigation, 22 complaints from various victims were found to have been received in all



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over India. She submits that in view of the seriousness of the offence committed by the petitioner, he does not deserve the concession of regular bail.

5. After hearing learned counsel for the parties and perusing the record with their able assistance, it is deciphered that the complainant has alleged to have been digitally arrested, wherein, he was compelled to deposit a huge amount on various dates under threat. Total amount, he has been defrauded with, is Rs.62,51,306/-. During the investigation, whatsapp chat of the petitioner with co-accused was found to have been made. Fraud committed by the petitioner alongwith the co-accused is of Rs.1 crore 15 lacs and there are 22 other complaints from different victims as well. Submissions made by counsel for the petitioner regarding the certificate under Section 65B of the Indian Evidence Act, can be looked into at the appropriate stage of the trial. As submitted before this Court charges have been framed. Thus, it is apparent that the trial is at its initial stage and granting bail to the petitioner at this stage, would prejudice the ongoing trial. Keeping in view facts and circumstances of the case and the stage of the trial, this Court finds that the petitioner does not deserve the concession of bail at this stage. Thus, finding no merit in the present case, the same is hereby dismissed.

6. Nothing said herein shall be treated as an expression of opinion on the merits of the case.

08.08.2025

sharmila

Whether Speaking/Reasoned
Whether Reportable

(RAJESH BHARDWAJ)
JUDGE

: Yes/No
: Yes/No