2025:PHHC:151512

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

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**1.CRM-M-43266-2025 (O&M)**

**Akshay Guru ...Petitioner**

**Versus**

**State of Haryana ...Respondent**

**2.CRM-M-49131-2025 (O&M)**

**Mahinder ...Petitioner**

**Versus**

**State of Haryana ...Respondent**

**3. CRM-M-49228-2025 (O&M)**

**Rajuddin ...Petitioner**

**Versus**

**State of Haryana ...Respondent**

**Date of decision : 03.11.2025**

**CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA**

Present:- Mr. Sandeep Kumar Yadav, Advocate
for the petitioner in CRM-M-43266-2025.

Mr. Virender Verma, Advocate
for the petitioners in CRM-M-49131 & 49228-2025.
(through VC)

Mr. Neeraj Poswal, AAG, Haryana.

**MANISHA BATRA, J.** *(Oral)*

1. This common order shall dispose of above mentioned three petitions as they arise out of the same FIR and seek similar reliefs.

2. Through the instant petitions, filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, the petitioners seek grant of regular bail in case arising out of FIR No. 14 dated 10.07.2024, registered under Sections 318(4), 319 and 61 of Bharatiya Nyaya Sanhita, 2023 *(for short 'BNS')* at Cyber Police Station, District Mohindergarh.

3. The aforementioned FIR was registered on the basis of a complaint submitted by complainant Rakesh Singh alleging that in the month of January, 2024, he had gone through an advertisement on YouTube regarding investment of money in share/stock market. A weblink was given therein. He had clicked on that link and had joined a group named as 'Y10 Wealth Navigation Club'. A person, who introduced himself as Adruri Sama and whose Whatsapp number was 73894-33896 introduced himself as Dean of an institute named as 'Share Market Trading Institute' and represented to the complainant that he used to train members of the said group about investment in the stock market. On such representations, the complainant started attending the classes given by the aforementioned person. Two active members of the said group used to participate in the chat going on in the group along with the Dean and represented that the complainant could fetch huge profits by investing money in cryptocurrency. The Dean of that group disclosed in the group that in April, 2024, one VIYAKA Exchange was launching an IPC (Initial Public Offering) of a new crypto and encouraged the members of the group to participate in the same by ensuring them great profits. On being so induced, he started investing money. He made withdrawal of some money as his account was showing profit in the same. Being

encouraged by the said Dean and other members of the group, he started investing more money and even took loans and in this manner, a sum of Rs.50,00,000/- was deposited by him in June, 2024. Huge profits were shown in the VIYAKA Exchange. The draw of the cryptocurrency named Petromek (PMTX) was announced and he received coins having value of more than Rs. 26 crores as per the figures shown in the said exchange. When he tried to withdraw the money, he was told that as per the instructions of UK agency, he would have to prove that he was not involved in any money laundering. He issued notice to VIYAKA Exchange but realized that there was something suspicious since the above discussed persons started pressurizing him to deposit 1% of the amount shown in his account and otherwise, he would not be given withdrawal. Having realized that he had been duped of an amount of Rs. 72,64,266/- in a planned manner, the complainant prayed for taking action in the matter.

4. After registration of the FIR, investigation proceedings were initiated. During the course of investigation, some suspicious bank accounts were located. One of such bank accounts was found to be opened in the name of a firm namely Pragati Agro Farm. Online transactions of cyber frauds were shown to have been made through this account. The account bearing number 130500210026833 was found to be operative in the name of petitioner Akshay Guru and it was revealed that by opening bank account, he had opened a fake firm and did online transactions of cyber fraud money. As many as 238 complaints related cyber fraud were found to be pending against the said bank account. Petitioner Akshay Guru was nominated as an accused and was

arrested on 21.04.2025. It was also revealed that an amount of Rs.3,20,000/- was deposited in the bank account of Pragati Enterprises owned by petitioner Akshay Guru. It was also found that a total amount of Rs.66,05,66,159/- was involved in bank account of Pragati Enterprises pertaining to petitioner Akshay Guru.

5. As per the further allegations, during investigation, it was also revealed that petitioner Rajuddin was directly involved in the crime as trail of money was established, wherein the complainant had transferred an amount of Rs.2,40,000/- from his bank account to the account of petitioner Mahinder, which in turn was transferred in the account of Capital Impex and then to the firm of petitioners Rajuddin and Mahinder namely New Year Multitrade having joint account bearing number 259643863549. As per record of the Cyber Crime Coordination Centre, 46 complaints have been found to be pending against the said bank account, which is pertaining to petitioners Rajuddin and Mahinder, showing that several innocent persons have been cheated of a total amount of Rs.20,75,26,292/- through this account. On the basis of the same, they were nominated as accused in this case and were arrested on 29.04.2025. Investigation now stands completed qua the petitioners and challan has been presented in the Court.

6. It is argued by learned counsel for the petitioners that they have been falsely implicated this case. They are in custody since long. Their custodial interrogation is no more required since challan has been presented in the Court. The subject offences are triable by the Magistrate. It is argued with regard to petitioner Akshay Guru that he has no concern with Deepa

Enterprises and Mahima Global Enterprises, from whose accounts, money was transferred in the account of his firm, where learned counsel for petitioner Rajuddin and Mahinder has argued that they were never the members of 'Y10 Wealth Navigation Club' and have no role at all in commission of crime. They have not received any money taken from the complainant. It is further argued that conclusion of trial will take considerable time. Their continued detention would not serve any useful purpose. It is, therefore, urged that the petitions deserve to be allowed and the petitioners deserve to be released on bail.

7. Separate status reports have been filed. Learned State counsel has argued that there are serious and specific allegations against the petitioners, who in connivance with each other had caused huge loss of a sum of Rs.72,64,266/- to the complainant by duping him of the above said amount and had committed cyber fraud with him. Numerous complaints are pending against the bank accounts owned/operated by the petitioners. One FIR under the same provisions has been registered against petitioner Akshay Guru at Police Station Cyber Crime, Kanpur. The petitioners are habitual offenders. There are chances of their absconding or committing similar offences, if released on bail. Cheque books and debit cards of different banks along with several documents of other persons have been recovered from the petitioners, which also prove their involvement in the crime. With these broad submissions, it is urged that the petitions do not deserve to be allowed.

8. This Court has heard the rival submissions.

9. The petitioners, in connivance with each other and with other co-accused, are alleged to have cheated the complainant and caused him

wrongful loss to the tune of Rs.72,64,266/-. The aforesaid accounts were found to be operative in the name of the firms, which were owned by the petitioners. The prosecution agency has collected evidence that an amount of Rs.3,20,000/- was transferred in the bank account of Pragati Enterprises owned by petitioner Akshay Guru, whereas an amount of Rs.2,40,000/- was found to be transferred in the bank account of New Year Multitrade, which is jointly owned by petitioners Rajuddin and Mahinder. Bank transactions of crores of rupees related to cyber fraud have been shown to be done in these bank accounts. Several other complaints are also shown to be pending inquiry qua these accounts. The allegations against the petitioners are quite serious in nature. Simply because of the fact that investigation has been completed, the petitioners do not deserve to be released on bail. Needless to say that the crimes of this nature are on the rise and have become a growing menace in today's digital age. The fraudsters are adopting this type of method to grab money of innocent persons by alluring them and committing cyber frauds. Cyber crimes are increasing day-by-day and by alluring the innocent persons, accused who are having knowledge of the cyber technology are committing frauds and cheating the public. As per settled law, there can be no leniency while dealing with bail application of cyber thugs in the matters of cyber crime. Cyber criminals must be dealt with stern hands. It is well settled law that in cases involving economic offences of such nature, bail cannot be granted as a matter of routine. Such offences cause a serious threat to the financial and moral fabric of the society. Keeping in view the discussion as made above, the nature of the allegations levelled against the petitioners and the attendant facts and circumstances of the case, this Court is of the considered opinion that the petitioners do not deserve to be released on bail, at this stage. Accordingly, the present petitions are dismissed.

10. It is made clear that any observation made herein above is only for the purpose of deciding the present petitions and the same shall have no bearing on the merits of the case.

11. Let a photocopy of this order be placed on the files of the connected cases.

**03.11.2025** **(MANISHA BATRA)**
*Waseem Ansari* **JUDGE**

*Whether speaking/reasoned* *Yes/No*

*Whether reportable* *Yes/No*