IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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CRM-M-44071-2025
Date of decision: 19.11.2025

TEEPU SULTAN @ TIPU SULTAN ....Petitioner

Versus

STATE OF HARYANA ...Respondent

CORAM: HON'BLE MR. JUSTICE YASHVIR SINGH RATHOR

Present : Mr. Pranshul Dhull, Advocate for the petitioner.

Ms. Vasundhara Dalal Anand, Sr. DAG, Haryana.

YASHVIR SINGH RATHOR. J.(Oral)

1. Present petition under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 has been filed for grant of regular bail to the petitioner in case FIR No.374 dated 11.12.2024, under Sections 318(4), 319(2), 336(3), 338, 340(2), 61(2), 241 BNS of 2023 and 66 of IT Act, registered at Police Station Cyber Crime, District Gurugram.

2. The present case was registered on the basis of complaint given to the police by Mohit Kumar, son of Shri Satya Prakash, with the allegations that he worked as a sales agent for old vehicles and he had opened an account at DBS Bank, DLF Phase-II, Gurugram branch in August 2023, having account number 885821000006514, and IFSC code DBSSOW0858. However, he did not conduct any transactions using his bank account. He had informed his bank relationship manager, Tipu Sultan, in April 2024 to close his bank account who told him that he will have to visit the branch to close his account. However, he got busy with his work and could not visit the bank branch. On 06.12.2024, he received a message

on his mobile No.9999669967 from DBS Bank stating that Rs.15,000 have been credited to his account, upon which he immediately contacted his bank relationship manager, Tipu Sultan who told him that the amount was credited from the bank's back end and that his account would be closed by Monday. However, on 09.12.2024, he received another message on his phone to the effect that Rs.1,96,73,798 have been credited in his account. Again, he contacted his relationship manager, but he told him that it could be a technical error. Thereafter, on 10.12.2024, he visited the DBS Bank branch at DLF Phase-II, Gurugram, where he discovered that his registered mobile number and e-mail ID had been changed without his knowledge. A different mobile No. 9266982723 and e-mail ID had been registered and his relationship manager had fraudulently accessed his bank account and changed the registered mobile number and e-mail ID to carry out online transactions without his knowledge. He sought action against the accused. Petitioner was arrested on 12.12.2024 and after completion of investigation, final report has been presented for trial.

3. I have heard learned counsel for the petitioner as well as learned State counsel and have gone through the record.

4. Learned counsel for the petitioner contended that petitioner has been falsely implicated in the present case. No cheating has been committed by him and when the amount of Rs.1,96,73,798/- was deposited in the account of complainant and the complainant contacted him in his capacity as a relationship manager, he had asked him to lodge a complaint with the cyber cell by sending a message through Whatsapp or to contact the bank for stopping the payment, so that the amount can be freezed. Learned counsel for the petitioner further contended that

petitioner never fraudulently accessed the bank account of the complainant or changed his registered mobile number and e-mail ID to carry out any ongoing transactions. All the offences are Magisterial trial. Petitioner is in custody since 12.12.2024. Learned counsel next contended that final report/challan has already been presented after completion of investigation and the trial is likely to take a long time to conclude and further detention of the petitioner is not required and he may be released on bail.

5. On the other hand, learned State Counsel has opposed the bail and argued that in view of the gravity of the offence, petitioner does not deserve the concession of bail, but it has been admitted that final report has already been presented after completion of investigation.

6. Petitioner is in custody since 12.12.2024. As to whether he had accessed the bank account of the complainant and changed the registered mobile number and e-mail ID to carry out any ongoing transactions shall be the subject matter of evidence, which can be decided during trial. Petitioner has placed on file the Whatsapp chat with the complainant in which he had specifically asked the complainant to lodge a complaint with the cyber cell, when unusal transaction took place in his bank account and huge sum was deposited from some unknown source. Now, the investigation stands completed and challan has already been presented. All the offences are Magisterial trial. The trial is likely to take sufficiently long time to conclude. It is well settled that bail is the rule and jail is an exception and pre-trial incarceration cannot be used as a tool to punish an offender and no useful purpose will, thus, be served by detaining the petitioner in custody anymore.

7. Having regard to the aforesaid factual position, but without commenting anything upon the merits of the case, the present petition is allowed and petitioner is ordered to be released on bail on furnishing bail bonds and surety bonds to the satisfaction of learned Trial Court concerned, on usual terms and conditions.

(YASHVIR SINGH RATHOR)
JUDGE

19.11.2025
amandeep

Whether speaking/reasoned. : Yes/No
Whether Reportable. : Yes/No