



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

213

CRM-M-51112-2025

Date of decision: 29th October, 2025

Imtiyaz Hanif Khanda

...Petitioner

Versus

State of Haryana and another

...Respondents

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Abhimanyu Batra, Advocate for the petitioner.
(through VC)
Ms. Himani Arora, Deputy Advocate General, Haryana.
Mr. Mithun, Advocate for respondent No.2.

MANISHA BATRA, J (ORAL):-

The present petition has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the petitioner seeking grant of anticipatory bail in case bearing FIR No. 01 dated 04.01.2024 registered under Sections 420, 468, 471 and 120-B of IPC and Section 66 of Information Technology Act, 2000 at Police Station Cyber Crime, NIT District Faridabad.

2. The aforementioned FIR was registered on the basis of a complaint submitted by the complainant Amit Gupta alleging that on 01.12.2023, a call was received by him from one person who while introducing himself as Avinash, an employee of Forex World told him that his company was engaged in the business of Forex trading through some experienced Analysts of the UK and used to take 5 to 10% commission from profits. He made him telephonically talk with one person, who was



introduced as his senior. They allured him to start a business with them with an investment of 500 dollars. On being convinced by the above named Avinash and his senior, the complainant deposited an amount of Rs. 42,000/- in the bank account of said Avinash on 02.12.2023. Trade transaction started from his saving account from the very next day and the same showed profit. Gradually, he was allured to part with a sum of Rs. 30,00,000/-. It was represented to him that the trade was going in profit and was induced to invest more money. It was also told to him that there would be no withdrawal unless the trade was finished. When the complainant expressed his wish to seek withdrawal, he was compelled to finish the trade and then take the withdrawal. He borrowed money from some persons and deposited the same. In this manner, an amount of Rs. 1,21,00,000/- was got deposited by him but when he sought withdrawal, he was denied to do so and was duped of the entire money. After registration of FIR, investigation proceedings were initiated. The present petitioner was found to be involved in commission of the offence of cheating the complainant and committing forgery with him. Apprehending his arrest, the petitioner moved an application for grant of pre-arrest bail before the learned Additional Sessions Judge, Faridabad which was dismissed vide order dated 28.08.2025.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case on the basis of disclosure statement of co-accused Amir Asif Parupiya which cannot be considered to be admissible in evidence. He was not named in the FIR. At the given time, he was not even residing in India but in Dubai as he was employed as a driving instructor there. He has no connection with the subject offences. A



compromise has been arrived at between the complainant, other accused and himself and in pursuance thereof, the complainant has received a sum of Rs. 70 lakhs. A petition for quashing of FIR on the basis of compromise has also been filed. The co-accused have been extended benefit of bail. He is ready to join the investigation. His custodial interrogation is not required. No recovery is to be effected from him. He has been granted benefit of bail in other cases registered against him. It is, therefore, urged that the petition deserves to be allowed.

4. Learned counsel for the complainant has affirmed the fact that a compromise has been arrived at between the parties and a petition seeking quashing of FIR is pending.

5. Learned State counsel has argued that there are serious allegations against the petitioner. He had duped the complainant of a huge amount of money. The fact that some compromise has been arrived at between the parties does not prove innocence of the petitioner. This is a case of cyber crime. The petitioner is a habitual offender and involved in other cases and by committing cyber frauds, he had obtained amount of Rs. 8 to 10 crores. His custodial interrogation is must for conducting thorough investigation in the matter, to make deeper probe as well as for seeking information about the identity of the other persons involved in the offence. The case is at its nascent stage, by allowing him benefit of bail, leave many glaring loopholes and gaps thereby adversely affecting the investigation. Therefore, it is urged that the petition does not deserve to be allowed.

6. This Court has heard learned counsel for the parties at considerable length.



7. The petitioner along with the co-accused is alleged to have duped the complainant of a huge amount of money by making him the victim of cyber crime. Though a compromise is stated to have been arrived at between the parties, however, keeping in view the nature of the allegations as levelled against the petitioner, the part attributed to him, his antecedents and the attendant facts and circumstances, this Court is of the considered opinion that no consideration can be given to the factum of such compromise at this stage. For conducting thorough and proper investigation in the matter, custodial interrogation of the petitioner is must. The petitioner is accused of committing a cyber fraud. Crimes of this nature are on the rise and have become a growing menace in today's digital age. Cyber criminals are using sophisticated methods to target public persons and institutions. A stringent approach for deterring offender is required. The gamut of above discussed circumstances does not call for grant of benefit of pre-arrest bail to the petitioner which even otherwise is an extra ordinary remedy to be exercised in exceptional circumstances which do not exist in this case. Accordingly, the petition does not deserve to be allowed and is dismissed.

8. It is, however, clarified that the observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

9. Since the main petition has been dismissed, pending application, if any, is rendered infructuous.

[MANISHA BATRA]
JUDGE

29th October, 2025

Parveen Sharma

1. *Whether speaking/ reasoned*
2. *Whether reportable*

: *Yes / No*
: *Yes / No*