

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

2025.PHHC.175457



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CRM-M-53238-2025 (O&M)

Date of decision: 19.12.2025

Mukesh Ashok @ Pankaj
Versus

...Petitioner

State of Haryana

...Respondents

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Amit Siwach, Advocate
For the petitioner.

Mr. Neeraj Poswal, AAG, Haryana.

Mr. Jagdish Manchanda, Senior Advocate with
Mr. Nischal Manchanda, Advocate
For the complainant.

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MANISHA BATRA, J. (Oral)

1. The present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 by the petitioner seeking grant of regular bail in case arising out of FIR No.38 dated 31.01.2025, registered under Sections 318(4), 319, 308(2), 336(3), 338, 340, 61(2), 3(5) and 241 of Bharatiya Nyaya Sanhita, 2023 and Sections 66C and 66D of the Information Technology Act, 2000 at Police Station Cyber West, Gurugram, District Gurugram.

2. The aforementioned FIR was registered on the basis of complaint lodged by complainant Dr. Anita, a retired Principal alleging that on the evening of 03.01.2025, she had received a call on her cell phone. The caller

told her that several complaints were registered against her for violation of illegal advertisements and sending harassing messages and an FIR was registered against her. She was also informed that three cell phone numbers, which she was using would be blocked within short time. She also started receiving video calls from different numbers on her WhatsApp and the callers told her that a bank account had been opened by her in favour of a person, who was accused of money laundering and committing frauds and she would be sent to jail for 14 years. She was forbidden from disclosing these facts to her family members under the threat that they would also be put to jail and their bank accounts would be frozen and that they would be mentally and physically tortured. She was forced to transfer a total amount of Rs.3,03,00,000/- from her bank accounts to different bank accounts, the numbers of which were disclosed by the callers. She was kept under virtual digital arrest till the transfer of the abovesaid amount and was not even made to leave her room. She was made scared of her life. Last video call was made to her on 31.01.2025, whereby threats were again extended to her.

3. During investigation, the details of the beneficiary bank accounts were obtained and it was revealed that an amount of Rs.63 lakhs from the bank account of the complainant was transferred in an account bearing No.20100031773920 at Bandhan Bank on 10.01.2025. The said account was found to be operating in the name of M/s Shiv Trading Company under the proprietorship of accused Ram Gopal Singh. The said accused was arrested on 01.02.2025. On his identification, petitioner Mukesh Ashok @ Pankaj was also arrested on the same day. It was also revealed that he was involved in cyber crime along with co-accused Harshit and Aman and on the asking of

Harshit, he had taken the complete kit of the bank account of accused Ram Gopal and had handed over the same to co-accused Harshit and Aman. The petitioner had received an amount of Rs.50,000/-. During investigation, it was further revealed that another amount of Rs.24,57,963/- from the account of the complainant was transferred in the bank account opened in the name of Chawda Raju Bhai at Rajkot and the said account had been used only for 3-4 days. The above said accused was arrested on 17.03.2025. He was interrogated and suffered disclosure statement to the effect that on being asked by accused Dodiya Bhawin that bank accounts were required for conducting online fraud and earning money, he had joined him. As per the plan, an amount of Rs.24,57,963/- was transferred in his bank account on 10.01.2025. He had kept commission of a sum of Rs.30,000/- and had withdrawn the remaining transferred amount by way of cheque and had given the same in cash to accused Dodiya Bhawin. The above named accused was nominated as such and was arrested on 17.02.2025.

4. As per further allegations, accused Dodiya Bhawin suffered a disclosure statement to the effect that he had met co-accused Dhadhal Ajaysinh Mansingbhai @ Ajay Singh Dhandhal in November, 2024, who had told him about being acquainted with persons, involved in committing online digital fraud and had told him that bank accounts were required for such purpose. He had also offered commission to him, if he joined them. The above said accused further disclosed that out of greed, he had joined the above named co-accused and the latter had fraudulently deposited a sum of Rs.24,57,963/- in the Axis bank account of accused Chawda Raju Bhai, who was also known to him and the accused Chawda Raju Bhai after keeping

commission had given the balance amount in cash to him which was given by him to co-accused Dhadhal Ajaysinh Mansingbhai @ Ajay Singh Dhandhal, after taking his commission. Investigation now stands completed.

5. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. He was not named in the FIR. He is not beneficiary of any transaction. No money was transferred in his bank account. No recovery of any money has been effected from him. The only allegation against him is that he had handed over the kit of the bank account of accused Ram Gopal to co-accused Harshit and Aman and had received an amount of Rs.50,000/- in lieu thereof. He is in custody since 01.02.2025. He has clean antecedents. Investigation has since been completed and challan has been filed. Conclusion of trial would take considerable time. His further incarceration would not serve any useful purpose. It is, therefore, urged that he deserves to be released on bail.

6. Status report has been filed. Learned State counsel, assisted by learned counsel for respondent No.2/complainant, has argued that there are serious allegations against the petitioner. The allegations prima facie prove his active participation in the crime. Respondent No.2 has been duped of a huge amount of money. The petitioner was an active participant in the occurrence. The trial is going on at a proper pace and there is nothing on record to show that there would be any undue delay in conclusion of the same. It is, therefore, urged that the petition does not deserve to be allowed.

7. This Court has heard the rival submissions.

8. The petitioner along with the co-accused is alleged to have hatched a conspiracy to commit online fraud/cheating by inducing public

persons to part with huge amount of money and in pursuance thereof, co-accused by extending threats to the complainant had caused wrongful loss to the tune of Rs.3,03,00,000/- to her by making her transfer this much amount in different bank accounts. The petitioner is alleged to have supplied the kit of one of such accounts, which was opened in the name of accuse Ram Gopal, to co-accused Harshit and Aman, which was later used to transferring the money fraudulently received from the complainant. The petitioner is even shown to have received an amount of Rs.50,000/-. The allegations reveal active participation of the petitioner in the crime. The allegations against the petitioner are serious in nature. Such like crimes are on rise and everyday one hears about innocent public persons being duped of their hard earned money. Trial is going on and there is nothing on record to suggest that there would be any undue delay in conclusion of the same. Keeping in view the nature of the allegations as levelled against the petitioner, the quantum of sentence which the conviction may entail and the attendant facts, this Court is of the considered opinion that the petitioner does not deserve to be released on bail at this stage. Accordingly, this petition is dismissed.

9. It is made clear that the observations made herein above are only for the purpose of deciding the present petition and the same shall not be construed as expression of opinion on the merits of the case.

(MANISHA BATRA)
JUDGE

19.12.2025

Waseem Ansari

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