IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

211

CRM-M-53501-2025
Date of decision: 26.11.2025

SURAJ YUVRAJ GAJBHIYE ......Petitioner

VERSUS

STATE OF HARYANA ....Respondent

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

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Present: - Mr. Balwinder Singh, Advocate
for the petitioner.

Ms. Chhavi Sharma, Asstt. A.G. Haryana
for the respondent-State.

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VINOD S. BHARDWAJ, J. (Oral)

The instant **first** petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023, for the grant of regular bail in case bearing FIR No. 1035 dated 30.11.2022, registered under Section(s) 406, 420 and 120-B of the Indian Penal Code, 1860 at Police Station Samalkha Panipat.

2. The FIR in the present case was registered on the basis of a complaint made by Mannu, son of Dharampal, who stated that he maintains a bank account with ICICI Bank, Atlas Road, Sonipat. According to the complainant, he was subjected to an online UPI fraud between 21.11.2022 and 26.11.2022. He stated that on 10.11.2022, he received a message on the

Telegram application from one “Avantika” claiming to be associated with Randstad, who offered him a part-time job. Upon expressing willingness, he was contacted by another Telegram ID, “@Sanahappy,” who explained a purported “rating business” and sent him a link to a website (http://www.kayakwork.com). The complainant registered on the website, received “training” and the initial commission amounts were allegedly remitted to his SBI account (No. 55143775308). He was thereafter added to a Telegram group named World Door 81, comprising 20 members. The complainant was told that he must make a minimum recharge of ₹10,000 on the website, which he deposited on 19.11.2022 into ICICI Bank Account No. 124805500452 in the name of Nakshatra Traders, Mumbai Santacruz SV Road, as provided by the so-called customer service. After performing certain “tasks,” he was induced to deposit further sums under various “premium deals,” each payment being made into bank accounts provided by the alleged fraudsters. These included accounts held in the names of Free Dial Growth India Pvt. Ltd., YOYP E Service LLP, Shine Trending, Carnival Tours and Travels, Axle Trading and various individuals. The complainant detailed multiple transactions, including payments of ₹18,934; ₹10,000; ₹44,007; ₹90,714; ₹4,21,134; ₹6,90,241 (50% demanded) and ₹1,00,000, each made on the instructions of the purported customer service representatives. He further stated that he was repeatedly assured that upon completion of 30 tasks, his entire investment would be refunded. However, after the final stages, he was directed to deposit an additional sum of ₹3,10,001 and later, on 26.11.2022, he deposited ₹2,60,001 into a YES Bank account held in the name of Purushottam Bhutad Jariwala. He was thereafter confronted with yet another demand of ₹6,22,895 under the guise of cancelling a "premium deal." The complainant stated that the Telegram customer service ID "@cs_0092" continues to demand money from him while falsely claiming to represent a legitimate company. In all, the complainant asserts that he has been defrauded of a total amount of ₹11,20,000/-.

3. Learned counsel appearing for the petitioner submits that, as part of the business model in question, various online platforms engage IT companies to procure likes, subscriptions and ratings for their applications. Such IT companies, in turn, operate through three distinct wings, namely: (i) the Technical Wing, (ii) the Marketing Wing and (iii) the Field Wing. The Technical Wing is responsible for creating and managing the digital interface through which individuals are engaged to perform tasks such as posting comments, subscribing or providing ratings. The Marketing Wing identifies and solicits individuals willing to undertake such tasks on different platforms. The Field Wing identifies persons maintaining current accounts so that funds may be received and routed through such accounts, which, according to counsel, are often used to minimise tax liability. It is the petitioner's case that he fell within this third category and was merely an account holder through whom funds were channelled, without any responsibility for the promises or assurances allegedly extended by the Technical Wing. Learned counsel further submits that although the allegations suggest that the complainant was defrauded of approximately ₹11 lakh, the amount that actually came into the petitioner's account was only around ₹4.21 lakh. He contends that the petitioner is in custody since 21.04.2025 and has already undergone an actual custody of more than 07 months. Moreover, as per the custody certificate, the

petitioner has no other criminal case registered against him. He further contends that the petitioner's role was limited to the recovery of funds on behalf of the so-called business model and that the obligation to repay the complainant, if any, rested with the Technical Wing. The petitioner having no role in the disbursement of payments, cannot be held liable for the alleged failure of the parent entity to honour its commitments.

4. Learned counsel for the respondent-State does not dispute the aforesaid contentions. She, however, submits that approximately 23 other complaints of a similar nature have been received. She, however, does not dispute that no FIR has been registered against the petitioner pursuant to any of the said complaints. She further concedes that the petitioner has been in custody since 21.04.2025 and that, upon completion of the investigation, the final report already stands submitted before the Illaqa Magistrate.

5. I have heard learned counsel appearing on behalf of the respective parties.

6. In view of the facts noticed above and bearing in mind that the present case is triable by a Magistrate, that the petitioner has already undergone more than 7 months of actual custody, that he is not involved in any other criminal case and that the trial is not likely to conclude soon, I deem it appropriate to enlarge the petitioner on regular bail to the satisfaction of the trial Court.

7. The instant petition is allowed and the petitioner is ordered to be released on regular bail on his furnishing requisite bail bond/surety bond to the satisfaction of the trial Court/Duty Magistrate, concerned.

8. It is made clear that the petitioner shall not extend any threat and shall not influence any prosecution witnesses in any manner directly or indirectly.

9. The observation made hereinabove shall not be construed as an expression on the merits of the case and the Trial Court shall decide the case on the basis of available material.

(VINOD S. BHARDWAJ)
JUDGE

NOVEMBER 26, 2025
Vishal Sharma

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