IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

2025:PHHC:175580

CRM-M-53969-2025 (O&M)

Sandeep ... Petitioner

Vs.

State of Haryana ... Respondent

1.	The date when the judgment is reserved	01.12.2025
2.	The date when the judgment is pronounced	17.12.2025
3.	The date when the judgment is uploaded on the website	17.12.2025
4.	Whether only operative part of the judgment is pronounced or whether the full judgment is pronounced	Full
5.	The delay, if any, of the pronouncement of full judgment, and reasons thereof	Not applicable

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Mayank Aggarwal, Advocate for the petitioner.

Ms. Himani Arora, DAG, Haryana.

Mr. Jagdish Manchanda, Sr. Advocate with
Mr. Nischal Chetanya Manchanda, Advocate,
Mr. Dinesh Chaudhary, Advocate and
Er. Vikram Singh, Advocate for the complainant.

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<u>MANISHA BATRA, J (ORAL)</u>

The present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short ‘BNSS’) by the petitioner seeking grant of regular bail in case arising out of FIR No.38

dated 31.01.2025, registered under Sections 308(2), 318(4), 319, 336(3), 338, 340 of the BNS (Sections 61(2), 3(5), 241 of the BNS and Sections 66C, 66D of the Information Technology Act were added later on), at Police Station Cyber Crime, 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, co-accused, Mukesh Ashok @ Pankaj was also arrested on the same day. As per the further allegations, accused Dodiya Bhawin, who was also found to be operating an account wherein an amount of Rs.24,57,963/- from the account of the complainant was transferred, was nominated and arrested. The investigation further revealed that the amount of Rs.3,04,500/- was transferred to the bank account operating in the name of the present petitioner. The petitioner was already in custody in another case. He was joined into the investigation of this case as on 18.02.2025 and was formally arrested. He suffered disclosure statement to the effect that he had got deposited the aforementioned amount of money on asking of his friends, namely, Nikku and Shrikant, who too were nominated as accused. Offences under Sections 66(C) and 66(D) of the Information Technology Act were added. Investigation qua the petitioner stands completed.

4. 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 has received only an amount of Rs.10,000/- in lieu of transfer of the aforementioned amount. He had been misled by his friends i.e. co-accused. No recovery has been effected from him. The subject offences are triable by the Magistrate. Trial will take considerable time to conclude. His further incarceration would not serve any useful purpose. It is, therefore, urged that

he deserves to be released on bail.

5. Status report has been filed. Learned State counsel assisted by learned counsel for the complainant has argued that there are serious allegations against the petitioner and prove his prima facie participation in the crime. He in connivance with the co-accused had duped the complainant of his huge amount of money. He is a man of criminal antecedents. Another case on same allegations has been registered against him. There are chances of his absconding, intimidating the witnesses or committing similar offences, if extended benefit of bail. It is, thus, urged that the petition does not deserve to be allowed.

6. I have heard rival submissions made by learned counsel for the parties at considerable length and have gone through the record.

7. 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. One of such accounts is shown to have been operated by the petitioner wherein a sum of Rs.3,04,500/- had been transferred from the account of the complainant. The allegations reveal active and prima facie participation of the petitioner in the crime. The allegations against the petitioner are serious in nature. Such like cases are on rise and everyday one hears about innocent public persons being duped of their hard earned money. The petitioner is involved in one more case of similar nature. The apprehension raised by the respondent that he may

commit similar offences or abscond cannot be stated to be unfounded at this stage. Keeping in view the nature of the allegations as levelled against the petitioner, quantum of sentence which the conviction may entail and the attendant facts, but without meaning to make any comment on the merits of the case lest they prejudice the trial in any manner, this Court is of the opinion that the petitioner does not deserve to be released on bail. Accordingly, this petition is dismissed.

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

(MANISHA BATRA)
JUDGE

17.12.2025
harjeet

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