

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

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**CRM-M-54182-2025
Date of decision: 19.11.2025**

KANAV KAPOOR

....Petitioner

Versus

STATE OF HARYANA

...Respondent

CORAM: HON'BLE MR. JUSTICE YASHVIR SINGH RATHOR

Present : Mr. R.P.Khosla, Sr. Advocate with
Mr. K.S. Dargan, Advocate for the petitioner.

Ms. Jasmine Gill, AAG, Haryana.

YASHVIR SINGH RATHOR. J.(Oral)

1. Present (second) 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.78 dated 14.06.2025, under Sections 318(4), 61(2) of BNS, 2023 (Section 238(c) of BNSS added later on), registered at Police Station Cyber Crime, Sector 20, Panchkula.

2. Brief facts of the prosecution are that on 14.06.2025, ASI Satish Kumar received a secret information to the effect that one Karan Kumar misleads illiterate and labour class people regarding Government schemes and gets their saving accounts opened. He collects their passbooks, cheque books, ATM cards, mobile SIMs registered with their bank accounts and retains the same with him. He supplies the said account details further for the purpose of transfer of money received through online frauds and later on, withdraws the amount through ATMs himself. He is in possession of several ATM cards and passbooks. One Kanav Kapoor (petitioner) collects savings bank details of the accounts got opened by



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Karan Kumar from different persons and mobile SIMs registered with the said bank accounts and both are likely to meet at 8 pm for the aforesaid purpose at Dhakoli Road, Sector 20 Panchkula. On checking at ICJS portal, one criminal matter was found to be registered against each of the said accused. Thereafter, a raiding party was constituted and the police reached at the aforesaid place and two boys were nabbed. Two bundles of ATMs (total 18 ATMs) were recovered from Karan Kumar, which were in the names of different persons alongwith cheque books. Karan Kumar disclosed that he gets the savings bank accounts of the innocent labourers opened and sells the same for a sum of Rs.3,000/- per bank account to Kanav Kapoor (petitioner), who gets the money transferred in the said accounts and withdraws the said money, which he later on hands over to him and he used to pay the commission to Kanav Kapoor. One laptop, 8 mobile phones, 7 mobile SIM cards were also recovered from the bag of accused-Kanav Kapoor, who was also enquired regarding the whatsapp chats exchanged with co-accused, on which he disclosed that he used to procure the savings accounts registered in the names of others from karan and transferred amounts received through online cyber frauds by him and others in the said saving accounts through UPI/IMPS. On checking, the recovered bank saving account numbers on cyber portal, 166 online cyber fraud complaints were found registered on NCRP portal regarding online cyber fraud in different States of India *qua* fraud of Rs.13.46 crores. During investigation, recovered ATMs, laptops, 8 mobile phones, 7 SIM cards, passbooks alongwith chequebooks were taken into possession. During further investigation, disclosure statement of Kanav Kapoor was recorded, wherein he stated that he was involved in the commission of sale/purchase of accounts and depositing the fraud



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money in the accounts of labourers. He disclosed that he learnt about USDT trading, which involves buying USDT at low prices, making a profit and then selling it back to others at a higher price and in an effort to earn more money, he started trading USDT through the BINANCE App. When he began trading USDT at a good level, he discovered that money earned through online fraud was also transferred through USDT and the USDT purchased with this money was cheaper than the market rate, resulting in higher profits. To purchase USDT, he had to transfer money online and after purchasing USDT with the proceeds of cyber frauds, the account would be frozen after some time. Thereafter, he started purchasing bank accounts and used to deposit fraud/ cheated money in those accounts in the name of USDT. After completion of investigation, challan/final report has been presented *qua* the Kanav Kapoor (petitioner) and Karan Kumar, while investigation *qua* other co-accused is still pending.

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 the petitioner has been falsely implicated. There is no complaint from anyone regarding cheating having been committed by the petitioner. The petitioner alongwith Karan Kumar was apprehended merely on the basis of secret information. He has not cheated any person. The petitioner is in custody since 14.06.2025. All the offences are Magisterial trial. Learned counsel further contended that the disclosure statement of the accused is not admissible. Learned counsel next contended that as per the allegations in the FIR, there are 166 cyber complaints registered against 29 bank accounts but no FIR has been registered regarding the same. Five private

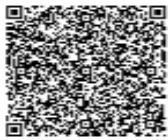


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witnesses have been examined by the investigating officer during the present investigation and none of them has named the petitioner as an accused. The trial will take a long time to conclude and further detention of the petitioner is not required and he may be released on bail.

5. On the other hand, learned State Counsel has opposed the bail and argued that petitioner along with co-accused Karan Kumar has misled the innocent people by getting their savings accounts opened and they used to transfer cheated money through cyber crime in the accounts of innocent people and thereafter, withdraw the same. Present petitioner is a part of cyber crime and used to convert money obtained through fraudulent transactions. A large number of mobile phones, laptops, ATM cards, passbooks and cheque books have been recovered, which *prima facie* establishes his complicity in committing the crime. 166 online cyber complaints have been found to be registered against the savings bank accounts in question on NCRP portal, in which a total amount of Rs.13.46 crores has been cheated. Petitioner has thus committed a grave offence and serious infringement of law, resulting in registration of present FIR. In case he is released on bail, he will indulge in similar offences or he may cause disappearance of valuable evidence and accordingly, petitioner does not deserve the concession of bail.

6. The allegations against the petitioner are serious in nature. He along with co-accused Karan Kumar, used to get savings accounts of illiterate labourers opened and Karan Kumar used to supply the account details to the petitioner, who used to deposit the amount obtained by way of cyber fraud in those accounts and later on withdraw the same. A large number of SIM cards, saving accounts, ATM



cards, passbooks and cheque books have been recovered from the possession of petitioner as well as co-accused Karan. In all, 166 online cyber complaints have been found to be registered against the savings account numbers in question on NCRP portal and a sum of Rs.13.46 crores has been deposited in those accounts, which was cheated from the general public by way of cyber frauds. The petitioner thus has committed a heinous offence. Such cyber crimes are increasing day by day and in such cases, the accused not only cheat the persons from whom the amount is illegally obtained by way of fraud, but they also play with the lives of innocent poor people in whose savings accounts such money obtained by way of cyber fraud is deposited. Such offences thus have to be dealt with an iron hand and no leniency can be shown.

6. Taking into consideration the gravity of the offence and the facts noticed hereinabove, I am of the opinion that petitioner does not deserve to be released on bail and the present petition is hereby dismissed.

19.11.2025
amandeep

(YASHVIR SINGH RATHOR)
JUDGE

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