

2025:PHHC:175496



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.56258 of 2025

Mohammad Taufiq ... Petitioner

Versus

State of Haryana ... Respondent

1.	The date when the judgment is reserved	08.12.2025
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. Shakil Sheikh, Advocate,
for the petitioner.

Ms. Himani Arora, DAG, Haryana,
for the respondent-State.

MANISHA BATRA, J.

1. The present petition has been filed by the petitioner under
Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (For short



“BNSS”) seeking regular bail in the FIR mentioned below:-

FIR No.	Dated	Police Station	Sections
48	05.08.2024	Cyber Police Station Rohtak, District Rohtak	318(4), 336(3), 338, 340(2) and 61(2) of the Bharatiya Nyaya Sanhita, 2023 (For short “BNS”)

2. As per the allegations, on 07.06.2024, the complainant Pravesh Kumar received a link on his cell phone number via a Facebook share market group. He clicked that link that led to his inclusion in a Whatsapp group "357IIFL official Community". Ankur Kedia, administrator of this group introduced the complainant to different investment concepts that included Initial Public Offerings and UC Stocks and thereby allured him to fetch substantial profits by making strategic share trading. On being so induced, the complainant agreed to participate in further trading activities. A further link was provided to him and clicking of the said link initiated Whatsapp conversation with another phone number. Some other links were also sent to him and the same then resulted in downloading of an application named "IIFL Pro". On installing the same, the complainant was instructed to deposit different sums of money into two distinct bank accounts purportedly for the purchase of shares and the instructions so received through Whatsapp communication. The complainant transferred a sum of Rs.24,65,000/- from his two bank accounts to the accounts provided by the individuals who were operating the scheme. However, when he made attempt to withdraw the balance which was reflected in his account he got to know that the same

2025:PHHC:175496



could not be accessed. When he requested for return of his deposits, he was being threatened and was coerced to deposit additional amount of Rs.15 lakhs. By alleging that he had been cheated, a fraud was committed with him, he prayed for taking action in the matter.

3. After registration of FIR, investigation proceedings were initiated. During investigation, it was revealed that out of the defrauded amount, an amount of Rs.3 lakhs was deposited in IDFC bank account which was in the name of Mohammad Taufiq i.e. the present petitioner. A registered mobile phone was given in the said account. The call detail records and details of consumer application form of the said mobile phone were obtained and it was revealed that the same belonged to one Mohd. Sakib. The accused Mohd. Sakib was arrested on 21.11.2024. He was interrogated and disclosed that he had given the details of his cell phone to accused Tausif and Sahib and his cell phone was registered with IDFC bank account for committing cyber fraud and in lieu thereof, he was given commission by the petitioner and the co-accused Sahib.

4. As per the further allegations, the petitioner and accused Sahil Malik were arrested on 24.11.2024. Accused Sahil Malik suffered disclosure statement to the effect that he was introduced with accused Tausif by his cousin brother Sahib and they had told him that they were engaged with the gang of cyber fraudsters and had been facilitating providing of bank accounts and mobile sim cards for that purpose. They had told him to

2025:PHHC:175496



provide bank account of some person in view of handsome commission. He disclosed that he had told about this fact to the present petitioner who had agreed to open an account for the purpose of facilitating transaction of money received by cyber crime. The said account was used for the purpose of transfer of money received by way of fraud. The petitioner too suffered disclosure statement to the effect that he had received a sum of Rs.30,000/- as commission via UPI transaction which was confirmed by bank record and investigation. The investigation qua him now stands concluded.

5. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. He is in custody for a period of over 1 year and 23 days. The investigation stands completed. The trial will take considerable time to conclude. The co-accused Sahil Malik has been extended benefit of regular bail by the Court of learned Additional Sessions Judge. On parity, he too deserves to be extended the same benefit. He has clean antecedents. His further incarceration would not serve any useful purpose. It is, therefore, urged that he deserves to be released on bail.

6. Per contra, learned Deputy Advocate General, Haryana has argued that there are serious allegations against the petitioner. An amount of Rs.3 lakhs out of the amount transferred from the bank account of the complainant had been transferred in the bank account of the petitioner and he intentionally and willingly provided the same for the purpose of use of money received by fraudulent means. This bank account has been involved

2025:PHHC:175496



in several other cases since as many as 20 other complaints have been lodged qua use of this account for the purpose of carrying fraudulent transactions on the basis of cyber crime. There are chances of petitioner's absconding or committing similar offences, if extended benefit of bail. The case of the petitioner is not at parity with the case of the co-accused who have been extended benefit of bail. It is, therefore, urged that the petition does not deserve to be allowed.

7. This Court has considered the rival submissions.

8. The petitioner in connivance with the co-accused is alleged to have provided his bank account for facilitating transfer of money from the bank account of the complainant by way of cyber fraud. An amount of Rs.3 lakhs had been transferred in his bank account. The allegations show his active complicity in the crime. These allegations are serious and specific. The petitioner's case cannot be stated to be at parity with the case of the co-accused Sahil Malik and Mohammad Sakib who have been extended benefit of bail by the Court of learned Additional Sessions Judge, Rohtak. As many as 20 complaints are stated to have been filed with regard to the use of the account of the present petitioner and the matter are stated to be under inquiry as no formal FIRs have been lodged. However, taking into consideration this fact, the apprehension that the petitioner may commit similar offences or may abscond, cannot be stated to be unfounded at this stage. In view of the discussion as made above, this Court is of the considered opinion that no



case for grant of bail to the petitioner is made out at this stage. Accordingly, the petition is dismissed.

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

17.12.2025
manju

(MANISHA BATRA)
JUDGE

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