



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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CRM-M-58953-2025(O&M);
CRM-M-61608-2025(O&M);
CRM-M-63719-2025(O&M);
CRM-M-57811-2025(O&M);
CRM-M-59600-2025(O&M);
CRM-M-60958-2025(O&M)
Date of decision: 03.12.2025

1. CRM-M-58953-2025(O&M)

Vikram Singh		...Petitioner
	VERSUS	
State of U.T. Chandigarh		...Respondent

2. CRM-M-61608-2025(O&M)

Kunal Kumar		...Petitioner
	VERSUS	
State of U.T. Chandigarh		...Respondent

3. CRM-M-63719-2025(O&M)

Rahul Singh		...Petitioner
	VERSUS	
State of U.T. Chandigarh		...Respondent

4. CRM-M-57811-2025(O&M)

Shah Faizal Ansari @ Aditya		...Petitioner
	VERSUS	
State of U.T. Chandigarh		...Respondent

5. CRM-M-59600-2025(O&M)

Himanshu Kumar		...Petitioner
	VERSUS	
State of U.T. Chandigarh		...Respondent

6. CRM-M-60958-2025(O&M)

Shan E Azam		...Petitioner
	VERSUS	
Union Territory, Chandigarh		...Respondent

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

Present :- Mr. Tanvir S. Grewal, Advocate, for the petitioner
(in CRM-M-58953-2025).

Mr. Sumit Bajaj, Advocate, for the petitioner
(in CRM-M-61608-2025).

Mr. Puneet Singla and Mr. Aashish Bhagat, Advocates,
for the petitioner(s) in CRM-M-63719-2025 & CRM-M-59600-2025.

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Mr. Raman Sihag and Mr. Tejas Ahlawat, Advocates,
for the petitioner in CRM-M-57811-2025.

Mr. Shubham, Advocate, for the petitioner,
(in CRM-M-60958-2025).

Mr. Alankrit Bhardwaj, Addl. P.P. for U.T. Chandigarh
(in CRM-M-58953-2025 & CRM-M-61608-2025).

Mr. Manish Bansal, P.P. for U.T. Chandigarh,
(in CRM-M-63719-2025; CRM-M-59600-2025;
CRM-M-57811-2025 & CRM-M-60958-2025).

VINOD S. BHARDWAJ, J. (Oral)

The instant six petitions, having been filed by 06 different accused persons, arising out of same case bearing FIR No.24 dated 28.03.2025 registered under Sections 319(2), 318(4), 336(3), 338, 340(2) and 61(2) of the Bharatiya Nyaya Sanhita, 2023 and Section 66(D) of the Information Technology Act, 2000 (added later on) at Police Station Cyber Crime, Chandigarh, U.T. Chandigarh, are being decided by a common order.

2. For the ready reference, the tabulation with respect to the date of arrest of the respective petitioners is culled out as under:-

Sr. No.	Case No.	Name of the accused	Date of arrest
1	CRM-M-58953-2025	Vikram Singh	17.04.2025
2	CRM-M-61608-2025	Kunal Kumar	08.04.2025
3	CRM-M-63719-2025	Rahul Singh	14.04.2025
4	CRM-M-57811-2025	Shah Faizal Ansari @ Aditya	14.04.2025
5	CRM-M-59600-2025	Himanshu Kumar	14.04.2025
6	CRM-M-60958-2025	Shan E Azam	14.04.2025

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3. Succinctly, the facts of the present bunch of cases, that would be slightly chequered, hence, the same are being delineated as under:-

The FIR in question was registered on the basis of a complaint submitted by one Raj Kumar on 16.10.2024. The complainant alleged that on 23.09.2024, he received a phone call from mobile number 92660-23234 regarding an employment opportunity purportedly available with Vistara Airlines. An advertisement relating to the said vacancy was thereafter forwarded to him on his WhatsApp. The complainant was informed that the selection process would involve an online interview, and subsequently an offer letter was also emailed to him. Believing the representations to be genuine, the complainant followed the instructions provided by the callers. During the course of the purported recruitment process, an amount of Rs.1,40,717/- was allegedly extracted from him by the accused persons under various pretexts. It was only later that the complainant realized that he had been duped by the scamsters who had orchestrated the entire scheme to fraudulently obtain money from him, leading to the registration of the present FIR.

4. The undisputed facts that have emerged during investigation indicate that the actual amount transferred by the complainant, Raj Kumar, stands quantified at Rs.60,767/-. This amount was remitted into two separate bank accounts. An amount of approximately Rs.20,000/- was transferred to the account of Kunal (petitioner in CRM-M-61608-2025), while the remaining sum of roughly Rs.40,000/- was credited to the account of one Runak Kumar.

5. After the arrest of Kunal Kumar (petitioner in CRM-M-61608-2025) on 08.04.2025, his disclosure statement was recorded, wherein he named two persons namely Jeet Singh @ Rajbir and Shah Faizal Ansari @

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Aditya @ Binni (petitioner in CRM-M-57811-2025). He also stated in his disclosure statement that he had been enticed by Jeet Singh @ Rajbir and Shah Faizal Ansari @ Aditya to provide his KYC documents to open bank accounts on the pretext that he would receive a share of the proceeds. Acting on such inducement, he submitted his documents for opening bank accounts in his name. He further disclosed that approximately 10–12 bank accounts had been opened using his credentials. Pursuant to this disclosure, Jeet Singh @ Rajbir was arrested on 11.04.2025. His disclosure statement was recorded thereafter, wherein he stated that the bank accounts obtained from Kunal Kumar were handed over by him to three persons namely Shah Faizal Ansari @ Aditya @ Binni (petitioner in CRM-M-57811-2025), Ashraf Khan, and Tokir Ahmad. He also admitted to having sold SIM cards, procured through tampered Aadhaar cards, to the said individuals. From the possession of Jeet Singh @ Rajbir, the State recovered multiple mobile phones and forged KYC documents. Jeet Singh further disclosed that Rahul Singh (petitioner in CRM-M-63719-2025) and Himanshu Kumar (petitioner in CRM-M-59600-2025) were also part of the operation and were involved in making calls to innocent individuals to deceive them into transferring money. Both Rahul Singh and Himanshu Kumar were subsequently arrested and two mobile phones were recovered from Rahul Singh, while three mobile phones were recovered from Himanshu Kumar. They disclosed that, due to financial need, they had agreed to work in a call centre allegedly operated by Shan E Azam (petitioner in CRM-M-60958-2025), where their role was to allure unsuspecting persons by calling them under various false pretences.

Following this, both Shan E Azam (petitioner in CRM-M-60958-2025) and

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Shah Faizal Ansari @ Aditya @ Binni (petitioner in CRM-M-57811-2025) were arrested. From Shah Faizal Ansari, two mobile phones were recovered, whereas one laptop and eight mobile phones were recovered from the possession of Shan E Azam. It was alleged in the disclosures that multiple SIM cards were being arranged and used for making fraudulent calls to gullible individuals. After the arrest of Shan E Azam on 14.04.2025, his disclosure statement was also recorded, wherein he named Vikram Singh @ Vikram Rana (petitioner in CRM-M-58953-2025) as being involved. Vikram Singh @ Vikram Rana was subsequently arrested on 17.04.2025.

6. Counsel for the petitioners contend no financial transaction whatsoever has been traced to the accounts of any of the present petitioners, apart from the account of Kunal Kumar, in which an amount of Rs.20,000/- was received. It is submitted that all the remaining co-accused have been arrayed as additional accused solely on the basis of disclosure statements made by one or the other co-accused, and not on the strength of any independent evidence. The essence of the allegations against them is merely that they were involved in obtaining bank accounts to facilitate the transfer of money or in arranging SIM cards. However, counsel points out that the prosecution has failed to furnish any concrete details of such bank accounts or of the individuals whose documents were allegedly procured for these purposes. Counsel further contends that the petitioners have been in custody for a period of more than 07 months. The investigation in the case already stands concluded qua the petitioners and the final report has also been filed.

Counsel submits that although Section 66(D) of the Information Technology Act, 2000 was initially invoked in the FIR, the trial Court has not framed any

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charge under the said provision against the petitioners. They submit that the case is triable by a Magistrate, and at best, the allegations against the petitioners do not extend beyond participation in a criminal conspiracy. It is also submitted that none of the petitioners have been shown to be beneficiaries of any of the financial transactions in question, nor have they forged, fabricated, or personally operated any bank account used in the alleged offence.

7. Learned State Counsel, on the other hand, does not dispute the date of arrest of the respective petitioners as well as the manner in which they have been nominated as an accused in the present case. They however contend that a racket was being run by the petitioners in collusion with each other so as to deceive innocent persons to transfer their hard-earned money on the pretext of securing jobs and other benefits. They however do not dispute that so far as accused-Kunal Kumar is concerned, only a sum of Rs.20,000/- had been transferred to his account and that there was no further transaction in account of any other accused, who are the petitioners herein. It is also not disputed that the petitioners have undergone an actual custody of more than 07 months in the present case and that they are not involved in any other criminal case.

8. I have heard learned counsel for the respective parties and have gone through the documents appended along with the present petitions.

9. Taking into consideration the aforesaid facts and circumstances including age of the petitioners- Kunal Kumar, Rahul Singh and Himanshu Kumar, the period of actual custody undergone by the petitioners in all these cases, the nature of offence, the role and manner of their involvement and participation in the commission of offence, their clear antecedents and the fact that it is a magisterial trial and shall take a long time to conclude, I deem it

appropriate to allow the present petitions.

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10. Accordingly, the instant petitions are *allowed* and the petitioners are ordered to be admitted to regular bail subject to their furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Illaqa Magistrate concerned.
11. It is made clear that the petitioners shall not extend any threat and shall not influence any prosecution witness in any manner directly or indirectly.
12. 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.
13. Pending application(s), if any, shall stand disposed of.

03.12.2025

Sumit Gusain

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

(VINOD S. BHARDWAJ)

JUDGE