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

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Date of decision: 06.11.2025

Mukhtesh Chhabra @ Muktesh Chhabra

....Petitioner

V/s

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present: Mr. Navneet Singh, Advocate for the petitioner.

Mr. Tarun Aggarwal, Additional Advocate General, Haryana.

SUMEET GOEL, J. (Oral)

1. Present petition has been filed on behalf of the petitioner seeking grant of anticipatory/pre-arrest bail under Section 482 of BNSS, 2023 in FIR No.63 dated 20.09.2025 registered for offences punishable under Sections 66(C), 66(D), 75 of Information of Technology Act, 2000, Sections 3(5), 318(4), 319, 61 of the BNS, 2023 and Sections 42(3) of the Telecommunications Act, 2023 at Police Station Cyber Crimine Police Station Kurukshetra.

2. The FIR in the present case was registered on the basis of a complaint made by ASI Isham Singh (No. 23). He alleged that on 19.09.2025, while he was on duty at the police station, he received credible secret information that an illegal call centre was being operated on the first floor above Baker's Lounge, near the Central Bank of India, Ladwa-Indri Road. It was further alleged that the said call centre was engaged in cheating and defrauding individuals both within India and abroad, and that if a raid was promptly conducted, the culprits could be apprehended in the act. Acting upon the said

information, a raiding party was constituted, and a raid was carried out at the



aforementioned premises. During the operation, eleven individuals were found actively engaged in fraudulent activities by communicating with foreign nationals through EyeBeam and Zoiper software. During questioning, one Rohit Malhotra disclosed that the call centre was run by Nikhil, a resident of Delhi, who had taken the premises on rent and employed the aforementioned boys to execute the fraudulent operation. Rohit further revealed that, as per the directions of Nikhil, they illicitly obtained personal and banking information from victims by impersonating authorities and falsely asserting that narcotics had been recovered from parcels addressed to them; such details were then misused for the commission of cyber fraud and illegal financial transactions. Based on these allegations, the present FIR was registered and investigation ensued.

3. Learned counsel for the petitioner has iterated that from the bare perusal of the FIR reflects that the petitioner has been falsely implicated into the FIR in question. The petitioner is not named in the FIR and the allegations therein are false, baseless and concocted. Learned counsel has further iterated that the petitioner has no connection whatsoever with the alleged occurrence. No specific role has been attributed to the petitioner in the commission of the alleged offence. Learned counsel has further submitted that the name of the petitioner surfaced only on the basis of disclosure statement of the co-accused — Nikhil Sapra, which by itself is inadmissible in evidence and cannot be the sole ground for implication. According to learned counsel, there exists no evidence either in the form of financial transactions or call details to establish any nexus between the petitioner and the co-accused — Nikhil Sapra. As per the disclosure



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statement of the co-accused, the only allegations against the petitioner is that he, being a local resident, merely assisted in locating the rented premises where the alleged call centre was set up. Moreover, the FIR does not allege any act of fraud, inducement or cheating by the petitioner. Learned counsel has further submitted that there is no need for custodial interrogation of the petitioner as nothing incriminating remains to be recovered from him. Moreover, there is no likelihood of the petitioner absconding from the process of justice or tampering with the prosecution evidence in case he is enlarged on pre-arrest bail. On strength of these submissions, the grant of anticipatory bail is entreated for.

4. *Per contra*, learned State counsel has opposed the grant of anticipatory bail to the petitioner by contending that the allegations in the present case are grave and serious in nature, involving a large-scale cyber fraud operation targeting innocent persons, both in India and abroad. According to learned State counsel, the illegal call centre was systematically engaged in procuring personal and banking credentials from victims by falsely alleging that narcotic substances had been recovered from parcels sent in their names, thereby committing organised cheating and cybercrime. Learned State counsel has further submitted that the name of the petitioner surfaced during the course of investigation based on the disclosure of the co-accused which cannot be brushed aside at this stage. Furthermore, the disclosure reveals that the petitioner played an active and deliberate role in facilitating the establishment of the illegal call centre by arranging the rented premises, with full knowledge of the illicit purpose for which it was being acquired. The investigating agency is still in the process of collecting crucial



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evidence, and custodial interrogation of the petitioner is considered necessary to unearth the larger conspiracy, identify other associates involved, and trace the money trail and proceeds of crime. Considering the seriousness of the allegations and the stage of investigation dismissal of the instant petition is prayed for.

5. I have heard the learned counsel for the rival parties and have gone through the available record of the case.

6. As per the case put forth in the FIR in question, indubitably, serious allegations have been levelled against the petitioner. The material on record reveals that a large-scale cyber fraud operation was being carried out through an illegal call centre where several persons were found in the act of cheating Indian and foreign nationals. The investigation has led to the disclosure that the premises used for the said illegal activity was arranged through the present petitioner. It is well settled that at the stage of consideration of plea for grant of anticipatory bail, the Court is not required to assess the evidence in details but only to determine whether the allegations are *prima facie* plausible. The role attributed to the petitioner as emerging from the investigation is not merely incidental. His assistance in procuring the rented property appears to have facilitated the establishment and operation of the fraudulent call centre. This fact, coupled with other circumstances detailed in the investigation, points towards the active complicity of the petitioner in the alleged offence. The police have further asserted that the custodial interrogation of the petitioner is indispensable for the purpose of effectively unraveling the *modus operandi* of the accused persons and identifying the broader nexus involved in the fraud. The nature

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and gravity of the offence, involving organized cybercrime and financial deceit, necessitate a thorough investigation, which, at this stage, cannot be conducted without the petitioner being in custody. The act, whether done knowingly or unknowingly, enable the commission of cyber fraud and the same cannot be brushed aside as wholly unreliable and as such the grant of anticipatory bail to the petitioner, at this stage, would hamper the on-going investigation.

7. It is befitting to mention here that while adjudicating the bail pleas, particularly in cases concerning cybercrimes and online fraud, necessitates a meticulous evaluation of several pivotal factors. Paramount among these is the inherent gravity and seriousness of the offense, coupled with its potential societal ramifications. The proliferation of online frauds and cybercrimes poses a significant threat, as it systematically erodes public confidence in digital financial transaction platforms. Such erosion runs counter to the aspirations of an advanced and digitally empowered “Digital Bharat” and thus warrants a heightened degree of judicial circumspection. These offenses are characterized by their capacity to aggrieve a multitude of victims simultaneously, often with a single act of commission. The deleterious consequences of cybercrimes transcend individual boundaries, imperiling numerous unsuspecting citizens. The gravity of such transgressions cannot, therefore, be understated. They not only jeopardize the financial security and trust reposed by individuals in financial payment gateways and platforms but also inherently expose the broader populace to analogous threats. Indeed, cybercrime in our nation operates akin to a silent virus — insidious, disruptive, and exacting a toll on society that extends far



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beyond mere pecuniary loss, encompassing the bedrock of trust, security, and national progress. Given the inherent nature and profound gravity of such offenses, and their wide-ranging cascading effects on both society and financial institutions, this Court finds itself disinclined to grant the relief of anticipatory bail as prayed for. To do otherwise would be to turn a *Nelson's eye* to the profound and far-reaching detrimental impact of these digital depredations. At this stage, there is no material on record to hold that *prima facie* case is not made out against the petitioner. The material which has come on record and preliminary investigation, appear to be established a reasonable basis for the accusations. Thus, it is not appropriate to grant anticipatory bail to the petitioner, as it would necessarily cause impediment in effective investigation.

8. Cyber fraud coordinated by multiple individuals, is a serious offence with far-reaching consequences. The actions of the petitioner directly contribute to creating an infrastructure that was exploited to commit fraud. The contention of the petitioner of false implication cannot overshadow the specific allegations in the present FIR. The weightage and veracity of such defence can only be tested at the trial and not at the stage of consideration of pre-arrest bail. The investigation is at a crucial stage. In the considered opinion of this Court, the offence of this nature is serious for which custodial interrogation of the petitioner may be necessary to determine the extent of his knowledge regarding the fraudulent scheme whether he was aware of the misuse and the identities of other co-accused who may have facilitated the offence. In the considered opinion of this



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Court, granting anticipatory bail at this stage may likely to hamper the ongoing investigation.

9. Moreover, no cause *nay* plausible cause has been shown, at this stage, from which it can be deciphered that the petitioner has been falsely implicated into the present FIR. The investigation is at nascent stage. It is befitting to mention here that while considering a plea for grant of anticipatory bail, the Court has to equilibrate between safeguarding individual rights and protecting societal interests. The Court ought to reckon with the magnitude and nature of the offence; the role attributed to the accused; the need for fair and free investigation as also the deeper and wide impact of such alleged iniquities on the society. At this stage, there is no material on record to hold that *prima facie* case is not made out against the petitioner. The material which has come on record and preliminary investigation, appear to be established a reasonable basis for the accusations. Thus, it is not appropriate to grant anticipatory bail to the petitioner, as it would necessarily cause impediment in effective investigation. In ***State v. Anil Sharma, (1997) 7 SCC 187 : 1997 SCC (Cri) 1039***, the Hon'ble Supreme Court held as under : (SCC p. 189, para 6)

“6. We find force in the submission of CBI that custodial interrogation is qualitatively more elicitation-oriented than questioning a suspect who is well-ensconced with a favourable order under Section 438 of the Code. In a case like this, effective interrogation of a suspected person is of tremendous advantage in disinterring many useful informations and also materials which would have been concealed. Success in such interrogation would elude if the suspected person knows that he is well protected and insulated by a pre-arrest bail order during the time he is interrogated. Very often interrogation in such a condition would reduce to a mere ritual. The argument that the custodial interrogation is fraught with the danger of the person being subjected to third-degree methods need not be



countenanced, for, such an argument can be advanced by all accused in all criminal cases. The Court has to presume that responsible police officers would conduct themselves in task of disinterring offences would not conduct themselves as offenders.”

10. In view of the gravity of the allegations, the organized nature of the crime, the potential involvement of other unknown persons, the stage of the investigation as also the necessity of the custodial interrogation for a fair and thorough investigation, this Court is of the considered opinion that the petitioner does not deserve the concession of anticipatory bail in the factual *milieu* of the case in hand.

11. In view of the prevenient ratiocination, it is ordained thus:

- (i) The instant petition is devoid of merits and is hereby dismissed.
- (ii) Nothing said hereinabove shall be deemed to be an expression of opinion upon merits of the case/investigation.
- (iii) Pending application(s), if any, shall also stand disposed off.

(SUMEET GOEL)
JUDGE

November 06, 2025
Ajay

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