

CRM-M-68826-2025
CRM-M-69109-2025
CRM-M-68644-2025

2025:PHHC:176264



- 1-

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

Date of decision: 19.12.2025

208 CRM-M-68826-2025

PARDEEP KUMARPetitioner

Versus

STATE OF HARYANA ...Respondent

209 CRM-M-69109-2025

AYUSH BAISHLAPetitioner

Versus

STATE OF HARYANA ...Respondent

209(A) CRM-M-68644-2025

MOHITPetitioner

Versus

STATE OF HARYANA ...Respondent

CORAM: HON'BLE MR. JUSTICE YASHVIR SINGH RATHOR

Present : Mr. Gaurav Gupta, Advocate
for the petitioners in all cases.

Ms. Jasmine Gill, AAG, Haryana.

YASHVIR SINGH RATHOR. J.(Oral)

1. By this common order, above noted petitions are being decided together as all the petitions related to common FIR.



2. These petitions under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 have been filed for grant of regular bail to the petitioners in case FIR No.04 dated 30.01.2025, under Sections 318(4), 319(2)/61(2)/238(c)/111(4) of BNS, 2023 and Sections 66/66C/66D of IT Act 2000, registered at Police Station Cyber Crime, District Kaithal.

3. I have heard learned counsel for the petitioners as well as learned State counsel and have gone through the record.

4. Brief facts of the prosecution case are that the police received complaint No.NCRP dated 19.12.2024 sent by the complainant Gaurav in which it was mentioned that he is a resident of House No. 134, Patti Afgan, Kaithal and was employed in HAFED. The complainant submitted that he was having VISA Credit Card of HDFC Bank bearing No. 5372060020476852. On 18.12.2024, at 01:56 PM, the complainant received a phone call from mobile No. 78376-37126 on his mobile phone No. 74041-95709 and the caller identified herself as Aarohi and that she was employee of HDFC Bank dealing with credit cards. Aarohi informed the complainant about increasing the limit of his credit card. She further demanded the code received for logging in to the My Card App which was accordingly supplied by the complainant to her. Aarohi then informed the complainant about the last four digits i.e. 6852 of the credit card and also that there was a limit of Rs.73,000/- on the said card of the complainant and after receiving such information, the complainant developed some faith upon the caller. Aarohi then proposed to increase the credit card limit of the complainant from Rs.73,000/- to Rs.1,83,000/-and demanded one identity card and photograph from the complainant for doing KYC. As the complainant did not instantly have any



photograph, the caller disconnected the phone call. At about 02:04 PM, the complainant received a message through whatsapp from AaroHi from mobile No.70567-28753. The complainant replied to all such messages. The complainant further received a video call on whatsapp from AaroHi but the caller had switched off the phone camera and rather asked the complainant to click upon the three dots seen on the mobile screen and this was also done by the complainant. The complainant further shared the screen of his phone with AaroHi alongwith the photo of his bank credit card. AaroHi disconnected the phone after informing the complainant that the KYC formalities had been completed. After some time, the complainant received a message that an amount of Rs.70,384/-had been deducted from his bank account through his credit card on which he realized about the fraud committed upon him by AaroHi who had committed such fraud by personation by way of portraying herself as the credit card officer of HDFC Bank. The complainant immediately made an online complaint on the NCRP portal. The complainant raised an apprehension that there is an organized group of persons who commit such fraudulent activities and commit fraud upon the innocent people by collecting their credit card details through various means and he sought action against the culprits.

5. After filing of this complaint, FIR was registered and investigation was commenced. The statements of witnesses were recorded. The bank record was obtained. On 14.02.2025, the CCTV Footage of the Axis Bank ATM pertaining to withdrawal of money by the beneficiary from bank account No.924010015777883 was obtained. On 21.02.2025, the record of mobile phone No. 93122-64630 was taken from the IP Address obtained from the payment gateway. On 24.03.2025,



efforts were made to trace out the bank account holder namely Pankaj Rana and the mobile phone user Monu but to no avail. On 17.04.2025, Monu was joined in the investigation of this case and the names of the Piyush, Sahil and Pardeep Kumar (petitioner) surfaced during such investigation. Efforts were also made to trace out mobile phone No. 78376-37126 user Deepan Kumar and whatsapp No. 70567-28753 user Suresh Saini. The co-accused Piyush was arrested on 23.06.2025 in Tamil Nadu and information regarding his arrest was received by the police investigating this case. Further, on 10.07.2025, information was received that the Cyber Cell, Palwal had arrested Sahil and Pardeep Kumar (petitioner) alongwith 9 other accused in FIR No.127 dated 01.07.2025 under Sections 318(4) and 319(2) BNS and that they were lodged in the District Jail, Neemka, Faridabad and Pardeep Kumar had made a confession regarding his involvement in the present case. On 15.07.2025, accused Monu was joined in the investigation of this case. On 31.07.2025, petitioners- Pardeep Kumar, Ayush Baishla and Mohit were arrested in the present case alongwith remaining eight other accused. Efforts were also made to trace out some other accused namely Sakshi, Khushboo and Avishka. Accused Piyush, in pursuance of his disclosure statement, got an amount of Rs.1,000/- recovered. He was sent to judicial custody on 29.08.2025. On 27.09.2025, sections 66, 66C and 66D IT Act were added. In the police reply, it has been mentioned that the co-accused Pankaj Rana is still to be arrested. It is mentioned that the accused in connivance with each other had been running a call centre and used to collect details of credit card holders by various means and then got huge amount of money transferred from the bank accounts of such credit card holders into their own accounts. It is also stated that



two other criminal cases had been registered against the petitioners.

6. Learned counsel for the petitioners contended that petitioners have been falsely implicated in the present case. Petitioners are in custody since 31.07.2025. Challan has already been presented, after completion of investigation. The cheated amount of Rs.70,384/- has already been returned to the complainant. All the offences are Magisterial Trial and the trial will certainly take a long time to conclude and further detention of the petitioners is not required and they may be released on bail.

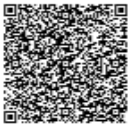
7. On the other hand, learned State Counsel has opposed the bail and argued that in view of the gravity of the offence, petitioners do not deserve the concession of bail. On the instructions of Inspector Sahil, Police Station Cyber Crime, Kaithal, learned State counsel has admitted that the amount has been returned to the victim.

8. Petitioners are in custody since 31.07.2025. Challan has already been presented after completion of investigation. The cheated amount has already been returned to the victim. All the offences are Magisterial Trial. The trial will certainly take a long time to conclude. It is well settled that bail is the rule and jail is an exception and pre-trial incarceration cannot be used as a tool to punish an offender and no useful purpose will, thus, be served by detaining the petitioners in custody anymore.

9. Having regard to the aforesaid factual position, but without commenting anything on the merits of the case, the present petitions are allowed and petitioners are ordered to be released on bail on furnishing bail bonds and surety bonds to the satisfaction of learned Trial Court concerned, on usual terms and conditions.

CRM-M-68826-2025
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CRM-M-68644-2025

2025:PHHC:176264



- 6-

- 10. Pending misc application (s), if any, shall also stand disposed of.
- 11. A photocopy of this order be placed on the files of other connected cases, numbered above.

19.12.2025
Priyanka Thakur

(YASHVIR SINGH RATHOR)
JUDGE

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