



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

219

CRM-M No.2611 of 2026

Date of decision : 20.4.2026

Date of uploading : 21.4.2026

Sumit

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present: Mr. Aakash Rana, Advocate, for the petitioner

Ms. Priyanka Sadar, Senior DAG, Haryana

SUMEET GOEL, J. (ORAL)

1. Present second petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') for grant of regular bail to the petitioner in case FIR No.87 dated 23.10.2024 under Sections 318(4), 336(3), 338, 340 and 61 of the Bharatiya Nyaya Sanhita, 2023, registered at Police Station Cyber Sonipat, District Sonipat.
2. The case set up in the FIR in question (as set out in the present petition by the petitioner) is as follows:-

To, the SHO Sahib, Police Station Cyber Crime, Sonipat. Sir, it is requested that I am Sagar son Ravi Kant Sapra resident of 253 Model Town Sonipat. On 05.09.2024, I went to the website named www.tataconsumerfranchise.com and applied for franchise. After that on 06.09.2024, I got the mail of registration form, catalogue, terms and conditions etc. On 06.09.2024, I received a call on my mobile no. 8950143594, 7595845054 from mobile no. 7595845054 to deposit the



registration fee. Then I paid 25000/- as registration fee, which was said to be adjustable. On 17.09.2024, I received a copy of the agreement on mail and was asked to deposit the fee through mobile no. 9038170244 and 9630886011. The money will be returned after the agreement ends. I deposited 75200/- in their account. Then I got the stock list and was asked to select the stock. After selecting the stock, I deposited 225000+25000 of its price. I received a mail (care@tataconsumersdistributor.com) that this will be your last payment. Then I was asked for Rs.1,33,200/-for NOC and it will be returned after 7 days of the work starts. Which I deposited. Then I was told that we made a mistake and one final payment to be made for the goods and travelling of the team, get that done also and 90% of which will be refunded later. For which I deposited 1,15000 in their account. In this way, from 12.09.2024 to 19.10.2024, I deposited Rs.5,98,400/- in their different accounts. Whose details are as follows: -

S.N	Date	Account Debited from	Account Credited to	IFSC Code	Transaction ID	Amount (Rs.)
1	12.9.2024	26500100011603	1917104000051305	IBKL0000126	xxx	25000
2	19.9.2024	-do-	-do-	-do-	xxx	75200
3	4.10.2024	-do-	49110110016385	BKID000001	xxx	225000
4	4.10.2024	-do-	-do-	-do-	xxx	25000
5	16.10.2024	-do-	-do-	-do-	xxx	133200
6	19.10.2024	-do-	-do-	-do-	xxx	115000
	Total				Total	598400

After depositing so much money I got suspicious and when they asked me for more money I refused to deposit. Then I called Tata customer care toll free number and found out that the website is fake and Tata group itself is taking legal action. But they kept on asking me to deposit more money. After my repeated refusal and threat of complaining to the police, the admitted that they have committed fraud. This Fraudster have cheated me of a total of Rs.5,98,400/- through accounts opened on fake website and fake documents and they also said that on phone that we have cheated many people like this and you or anyone else can never catch us nor can close our website, we will keep cheating like this. The details of the mails received are given below. E:MAIL ID-care@tataconsumersdistributors.com.

supportateconsumersdistributors.com. After getting all the information,I lodged an online cyber crime complaint 21310240045286. Hence, I



*request you to take legal action against them and get my money back.
Thanks, Attached:- BANK STATEMENT, Sd/-Sagar, Applicant, Sagar son
of Ravi Kant Sapra resident of House No. 253 Model Town, Sonipat.*

3. Learned counsel for the petitioner has argued that the petitioner is in custody since 16.1.2025. Learned counsel has further argued that the petitioner has been falsely implicated into the FIR in question. Learned counsel has further submitted that the petitioner and the FIR-complainant/victim have entered into a compromise/settlement (copy whereof has been appended as Annexure P-3 alongwith the present petition). Thus, regular bail is prayed for.

4. Learned State counsel has opposed the present petition by arguing that the allegations raised are serious in nature and thus the petitioner does not deserve the concession of the regular bail. Learned State counsel seeks to place on record custody certificate dated 7.4.2026 in Court, which is taken on record.

5. I have heard counsel for the parties and have gone through the available records of the case.

6. The petitioner was arrested on 16.1.2025 wherein after investigation was carried out; challan was prepared on 10.3.2025 and subsequently filed. Total 12 prosecution witnesses have been cited but only 01 has been examined till date. It is thus indubitable that culmination of trial will take its own time. The rival contention of learned counsel for the parties; including the veracity/weightage required to be attached to the compromise dated 17.10.2023 (copy whereof has been appended as Annexure P-3 with the instant petition); shall be gone into during the



course of trial. This Court does not deem it appropriate to delve deep into these rival contentions, at this stage, lest it may prejudice the trial. Nothing tangible has been brought forward to indicate the likelihood of the petitioner absconding from the process of justice or interfering with the prosecution evidence.

6.1 As per custody certificate dated 7.4.2026 filed by learned State counsel, the petitioner has already suffered incarceration for a period of 01 year, 2 months and 22 days & is not shown to be involved in any other case.

6.2 Indubitably, the present petition is the 2nd attempt by the petitioner to secure regular bail. The last bail plea preferred by the petitioner was dismissed as withdrawn on 19.8.2025. Keeping in view the entirety of the factual *milieu* of the case in hand, especially extended incarceration of the petitioner and pace of trial, this Court is inclined to favourably consider the instant plea for bail. A profitable reference, in this regard, can be made to a judgment of this Court passed in ***CRA-S-2332-2023*** titled as ***Rafiq Khan versus State of Haryana and another***; relevant whereof reads as under:

“10. As an epilogue to the above discussion, the following principles emerge:

I. Second/successive regular bail petition(s) filed is maintainable in law & hence such petition ought not to be rejected solely on the ground of maintainability thereof.

II. Such second/successive regular bail petition(s) is maintainable whether earlier petition was dismissed as withdrawn/dismissed as not pressed/dismissed for non-prosecution or earlier petition was dismissed on merits.

III. For the second/successive regular bail petition(s) to succeed, the petitioner/applicant shall be essentially/pertinently required to show substantial change in circumstances and showing of a mere superficial or ostensible change would not suffice. The metaphoric expression of seeking second/successive



bail plea(s) ought not be abstracted into literal iterations of petition(s) without substantial, effective and consequential change in circumstances.

IV. No exhaustive guidelines can possibly be laid down as to what would constitute substantial change in circumstances as every case has its own unique facts/circumstance. Making such an attempt is nothing but an utopian endeavour. Ergo, this issue is best left to the judicial wisdom and discretion of the Court dealing with such second/successive regular bail petition(s).

V. In case a Court chooses to grant second/successive regular bail petition(s), cogent and lucid reasons are pertinently required to be recorded for granting such plea despite such a plea being second/successive petition(s). In other words, the cause for a Court having successfully countenanced/entertained such second/successive petition(s) ought to be readily and clearly decipherable from the said order passed.”

Suffice to say, further detention of the petitioner as an undertrial is not warranted in the facts and circumstances of the case.

7. In view of above, the present petition is allowed. Petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the Ld. concerned CJM/Duty Magistrate. However, in addition to conditions that may be imposed by the concerned CJM/Duty Magistrate, the petitioner shall remain bound by the following conditions:-

- (i) The petitioner shall not mis-use the liberty granted.
- (ii) The petitioner shall not tamper with any evidence, oral or documentary, during the trial.
- (iii) The petitioner shall not absent himself on any date before the trial.
- (iv) The petitioner shall not commit any offence while on bail.
- (v) The petitioner shall deposit his passport, if any, with the trial Court.
- (vi) The petitioner shall give his cell-phone number to the Investigating Officer/SHO of concerned Police Station and shall not change his cell-phone number without prior permission of the trial Court/Illaq Magistrate.
- (vii) The petitioner shall not in any manner try to delay the trial.

8. In case of breach of any of the aforesaid conditions and those

2026:PHHC:058900



CRM-M No.2611 of 2026

-6-

which may be imposed by concerned CJM/Duty Magistrate as directed hereinabove or upon showing any other sufficient cause, the State/complainant shall be at liberty to move cancellation of bail of the petitioner.

- 9. Ordered accordingly.
- 10. Nothing said hereinabove shall be construed as an expression of opinion on the merits of the case.

(SUMEET GOEL)
JUDGE

20.4.2026
Ashwanii

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