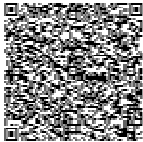


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2026:PHHC:023210



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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-2975-2026

Rupindra

....Petitioner

Versus

State of Punjab

...Respondent

Date of Decision: February 16, 2026
Date of Uploading: February 16, 2026

CORAM: HON’BLE MR. JUSTICE SUMEET GOEL

Present:- Mr. Mayur Karkra, Advocate for the petitioner.
Mr. Adhiraj Singh Thind, AAG Punjab.

SUMEET GOEL, J. (ORAL)

Present 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 bearing FIR No.26 dated 20.07.2025, registered for the offences punishable under Sections 61(2), 318(4) and 319(2) of the BNS, 2023, at Police Station Cyber Crime, District Patiala.

2. The gravamen of the FIR in question is that a written complaint was received from Ramesh Kumar against unknown persons alleging a cyber fraud amounting to Rs.57,65,023/- on the pretext of investment in IPOs and Block Trade Stocks purportedly of IIFL Markets. The complaint

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was registered on the National Cyber Crime Portal vide Reference No. 32507250021928 dated 17.07.2025.

In his complaint, Ramesh Kumar stated that he is a retired Deputy Finance Officer from Indian Railways. He submitted the complaint through Cyber Helpline No.1930 regarding an online fraud involving Rs.57,65,023/-. He stated that on 18.06.2025, while at home, he received a WhatsApp message from mobile number 9100268411, claiming to represent IIFL Markets Company and inquiring whether he was interested in investing in the share market to earn profits. Subsequently, he was added to a WhatsApp group titled "G09-IIFL Securities Limited," where several members were actively discussing investments and sharing screenshots showing profits from IPO and Block Trade investments. After observing these discussions and verifying certain details online, he developed trust in the scheme. Communication took place through multiple WhatsApp numbers. The number 9100268411 displayed a woman's profile picture, and the person using it persuaded him to invest and provided a link to download a purported IIFL Markets application, which he installed on his mobile phone. His account was registered using his mobile number 7814008513, and a trading ID bearing No.81203448 was created. He was induced to believe that higher investments would result in higher returns. Thereafter, he was repeatedly provided with different beneficiary bank account details for transferring funds. Acting on their instructions and under the belief that the scheme was genuine, he transferred money in multiple transactions to various bank accounts. In this manner, a total amount of Rs.57,65,023/- was fraudulently obtained from him.

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He further stated that within the fake application, his invested amount was reflected along with inflated profits. However, whenever he requested withdrawal of the funds, he was assigned new “tasks” requiring additional investments. On 07.07.2025, when he firmly insisted on withdrawing his money, he was asked to deposit an additional Rs.85,00,000/-. At that point, he realized that he had been deceived. He immediately contacted the official number of IIFL, where he was informed that no such investment scheme was being operated by the company. Accordingly, he alleged that unknown persons had dishonestly induced him through WhatsApp and cheated him of his retirement savings.

3. Learned counsel for the petitioner has argued that the petitioner is in custody since 04.10.2025. Learned counsel has iterated that the petitioner has been falsely implicated into the FIR in question. Learned counsel has argued that the petitioner was merely giving his advice for stock investment and no culpability can be fixed against him. Learned counsel has submitted that the petitioner is a man with clean antecedents. Thus, regular bail is prayed for.

4. Learned State counsel has opposed the present petition by arguing that allegations raised against the petitioner 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 the custody certificate dated 14.02.2026, in the Court today, which is taken on record.

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

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6. The petitioner was arrested on 04.10.2025, whereinafter investigation was carried out and challan has been presented on 02.11.2025. Total 26 prosecution witnesses have been cited, and it is not in dispute before this Court that, none has been examined till date. It is, thus, indubitable that conclusion of the trial will take long.

At this juncture, it would be apposite to refer herein a judgment of the Hon'ble Supreme Court in *Javed Gulam Nabi Shaikh vs. State of Maharashtra and anothers, 2024(3) RCR (Criminal) 494*, which reads thus:

“18. Criminals are not born out but made. The human potential in everyone is good and so, never write off any criminal as beyond redemption. This humanist fundamental is often missed when dealing with delinquents, juvenile and adult. Indeed, every saint has a past and every sinner a future. When a crime is committed, a variety of factors is responsible for making the offender commit the crime. Those factors may be social and economic, may be, the result of value erosion or parental neglect; may be, because of the stress of circumstances, or the manifestation of temptations in a milieu of affluence contrasted with indigence or other privations.

19. If the State or any prosecuting agency including the court concerned has no wherewithal to provide or protect the fundamental right of an accused to have a speedy trial as enshrined under Article 21 of the Constitution then the State or any other prosecuting agency should not oppose the plea for bail on the ground that the crime committed is serious. Article 21 of the Constitution applies irrespective of the nature of the crime.

20. We may hasten to add that the petitioner is still an accused; not a convict. The over-arching postulate of criminal jurisprudence that an accused is presumed to be innocent until proven guilty cannot be brushed aside lightly, howsoever stringent the penal law may be.

21. We are convinced that the manner in which the prosecuting agency as well as the Court have proceeded, the right of the accused to have a speedy trial could be said to have been infringed thereby violating Article 21 of the Constitution.”

The rival contention raised at Bar give rise to debatable issues, which shall essentially be ratiocinated upon 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

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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 14.02.2026 filed by learned State counsel, the petitioner has already suffered incarceration for a period of 04 months and 10 days, & is not shown to be involved in any other FIR(s).

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, if not required in any other case, 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 cellphone 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/Illaqa 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 which may be imposed by concerned CJM/Duty Magistrate as directed hereinabove or upon showing any other sufficient cause, the

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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.
11. Since the main case has been decided, pending miscellaneous application, if any, shall also stands disposed off.

(SUMEET GOEL)
JUDGE

February 16, 2026

mahavir

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No