

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

2026:PHHC:034925



204

CRM-M-2880-2026 (O&M)
Date of decision:06.03.2026

Prince Ghai

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Vishal Tartyal, Advocate for the petitioner.

Ms. Sakshi Bakshi, AAG, Punjab.

...

Manisha Batra, J. (Oral).

1. The instant one is the second petition as filed by the petitioner seeking benefit of regular bail in case arising out of FIR No.24, dated 18.09.2024, registered under Sections 318(4) and 61(2) of the BNS, Sections 66(C) and 66(D) of the Information Technology Act, 2000 (offence under Section 238 of the BNS was added subsequently), at Police Station Cyber Crime SAS Nagar, Mohali. His previous petition bearing CRM-M-16839-2025 had been dismissed by this Court on 03.09.2025.

2. It is argued by learned counsel for the petitioner that after dismissal of his previous petition on 03.09.2025, a period of more than 06 months has lapsed. However, the trial has not progressed much further as

only 09 prosecution witnesses out of 28 have been examined so far. The chances of conclusion of trial in near future are bleak. He is in custody for a period of 01 year and 04 months. His prolonged incarceration militates against his fundamental right as enshrined under Article 21 of the Constitution of India. Each day spent by him in custody furnishes a new ground for seeking bail afresh. It is, thus, argued that he deserves to be extended the benefit of bail.

3. Per contra, learned State counsel has argued that the allegations against the petitioner are serious in nature. His previous petition has been dismissed by this Court by passing a detailed order. There is no spacious or substantive change in the circumstances and as such, this successive petition is not maintainable. The trial is going at a proper pace. It is, therefore, stressed that the petition does not deserve to be allowed.

4. This Court has heard the rival submissions made by learned counsel for the parties.

5. So far as the maintainability of the petition is concerned, it may be mentioned that an accused has a right to make successive applications for grant of bail, and it is the duty of the Court, while entertaining such a subsequent bail application, to consider the reasons and grounds on which the earlier bail petition was rejected. The fresh grounds which persuade the Court to take a view different from the one taken in the earlier application are also required to be recorded. Reference in this regard can be made to ***Prasad Shrikant Purohit v. State of Maharashtra (2018) 11 SCC 458***, wherein it was so observed.

6. In the instant case, the previous petition as filed by the petitioner had been dismissed by passing a detailed order. The petitioner is now making a prayer for bail afresh on the ground of his prolonged incarceration and further by submitting that the trial will take considerable time to conclude. However, as per record, 09 out of 28 prosecution witnesses have been examined and 01 has been given up and as such, it cannot be stated that the trial is not going at a proper pace. The petitioner is alleged to be a part of the conspiracy hatched by the co-accused to deceive the complainant and to cause wrongful loss to the tune of Rs.1,74,50,000/- to her by inducing her to invest money in trading of shares online through fraudulent platforms. The petitioner and co-accused Gurpreet Singh had got opened an account in the name of co-accused Rubeena Nara which was used for the purpose of transfer of an amount of Rs.10,80,000/- from the account of the complainant for the purpose of cheating her. As per the allegations, it was he, who was having the entire access of those bank accounts and had even secured signatures of Rubeena Nara on blank cheques and taken her cheque books qua those accounts. The amount of money deposited in those accounts had been withdrawn by the present petitioner. The role of the petitioner has clearly emerged during investigation. The offence in question is not an isolated act but part of an organized cyber fraud, wherein providing bank channels forms a crucial link in execution of the crime. It is important to say that cyber crimes are steadily increasing and are having a deep rooted impact on society, targeting unsuspecting citizens and eroding public confidence in digital platforms. Such offences are serious economic crimes, affecting not only the victim but the financial system at large and therefore,

require a strict approach at the stage of bail.

7. In view of the discussion as made above, this Court finds no substantive or drastic change of such nature in the circumstances on the basis of which, the petitioner can be considered to have become entitle for release on bail.

8. Keeping in view the gravity of allegations as levelled against the petitioner, the manner in which the subject offences were committed, the part played by him and the attendant facts and circumstances of the case, this Court is of the considered opinion that the petition does not deserve to be allowed. Accordingly the same is dismissed.

9. Pending application(s), if any, shall also stand disposed of.

06.03.2026

harjeet

**(MANISHA BATRA)
JUDGE**

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