



CRM-M-3159 of 2026 -1-

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

229

CRM-M-3159 of 2026
Date of Decision: 23.02.2026

Devanshu Verma

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MS. JUSTICE RUPINDERJIT CHAHAL

Present: Mr. Manan Kshetarpal, Advocate and
Mr. Nikhil Chopra, Advocate
for the petitioner.

Ms. Shaveta Sanghi, DAG, Haryana.

RUPINDERJIT CHAHAL, J (ORAL)

1. Prayer in the instant petition filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 is for grant of regular bail to the petitioner in case FIR No.38 dated 17.09.2023 registered under Sections 406, 419 and 420 of IPC (Sections 204 and 120-B IPC added later on), at Police Station Cyber Crime, Ambala.
2. Brief facts as per the prosecution case are that the petitioner along with other co-accused, under a well-planned conspiracy, committed online cyber fraud with the complainant for a sum of Rs.11,43,000/- by inducing him on the pretext of online work. Hence, the present FIR.
3. Learned counsel for the petitioner has submitted that the petitioner has been falsely implicated in the present case. He further

**CRM-M-3159 of 2026****-2-**

submitted that the petitioner was neither named in the FIR, nor has any concern with the said offence. It has also been contended that during investigation, co-accused Narender Kumar was arrested and the petitioner has been nominated as an accused only on the basis of the disclosure statement made by the said co-accused Narender Kumar. Apart from the disclosure statement, there is no other evidence to connect the petitioner with the offence in question and it is a trite law that disclosure statement of the co-accused during his custodial interrogation is not admissible. He argued that the petitioner was neither the beneficiary of the said fraud, nor any amount was ever transferred into his account. He further argued that as per the prosecution version itself, the complainant has never interacted with the petitioner either telephonically or otherwise. Further, co-accused Narender Kumar, on whose disclosure statement the petitioner was nominated as an accused in the present case, has already been granted the concession of regular bail by the learned trial Court, vide order dated 03.02.2024 and co-accused Soyabudeen and Shariq Khan have also been granted the concession of regular bail by a Co-ordinate Bench of this Court, vide order dated 10.09.2024. No recovery is to be effected from the petitioner. The petitioner is in custody since 04.12.2023. The investigation in this case is complete, challan stands presented and charges have also been framed. He further submits that there are total 12 prosecution witnesses and out of which, only complainant has been partly examined till date and as such, the trial will take a long time to conclude and no useful purpose would be served by keeping him behind bars. Therefore, it is urged that the petition deserves to be allowed.



CRM-M-3159 of 2026

-3-

4. On the other hand, learned State counsel has filed the custody certificate of the petitioner and status report in the matter, which are taken on record and while referring to the status report, she has vehemently opposed the prayer for grant of bail by submitting that the offence committed by the petitioner is serious in nature. She has further submitted that the petitioner is involved in one more case of similar nature meaning thereby he is a habitual offender.
5. Having heard learned counsel for the parties at length and after perusing the record of the case, it is evident that the petitioner is in custody in the present FIR for more than 01 year and 02 months; investigation is complete; challan stands presented; charges framed; out of 12 prosecution witnesses, only complainant has been partly examined till date; the complicity of the petitioner is a matter of trial, which is proceeding at snail's pace and the same will take a long time to conclude. Thus, no useful purpose would be served by detaining him in further custody. His continued detention without the prospect of the trial being concluded in the near future would be violative of his rights under Article 21 of the Constitution of India.
6. Reliance is placed upon a judgment in the case of ***Dataram Singh vs. State of Uttar Pradesh & Anr. 2018(2) R.C.R. (Criminal) 131***, wherein Hon'ble Apex Court has held that keeping somebody behind the bars, till his guilt is proved, for an indefinite period amounts to infringement of his right to life and liberty, as enshrined under Article 21 of Constitution of India and is against the principle "*bail is a rule*" and "*jail is an exception*".



CRM-M-3159 of 2026

-4-

7. As regards the submission of learned State counsel that petitioner is involved in other/one more criminal case(s), reference is placed upon the judgment of the Hon'ble Supreme Court in ***Maulana Mohd. Amir Rashadi Vs. State of U.P. and another, 2012 (2) SCC 382*** in which, it is held that the facts and circumstances of the present case are to be seen while deciding a bail application and the bail application of the petitioner cannot be rejected solely on the ground that the petitioner is involved in other/another case(s). The relevant portion of the said judgment is reproduced herein-below:-

"As observed by the High Court, merely on the basis of criminal antecedents, the claim of the second respondent cannot be rejected. In other words, it is the duty of the Court to find out the role of the accused in the case in which he has been charged and other circumstances such as possibility of fleeing away from the jurisdiction of the Court etc."

8. In view of the above, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of the learned trial Court/Duty Magistrate/CJM concerned. It is clarified that nothing stated herein shall be construed as an expression of opinion on the merits of the case.

(RUPINDERJIT CHAHAL)
JUDGE

23.02.2026

D.Bansal

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