



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

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**CRM-M No.4562 of 2026
Date of decision : 19.3.2026
Date of uploading : 20.3.2026**

Sonu @ Landa**Petitioner**
Versus
State of Haryana**Respondent**

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present: Mr. Rohit Mittal, Advocate, for the petitioner
Mr. Gurmeet Singh, AAG, Haryana

SUMEET GOEL, J. (ORAL)

1. 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 FIR No.40 dated 16.10.2025 under Sections 238(c), 318(4) and 61(2) of Bharatiya Nyaya Sanhita, 2023, registered at Cyber Police Station, Narnaul.
2. The case set up in the FIR in question (as set out in the present petition by the petitioner) is as follows:-

'To, SHO Sahib, Cyber Crime Police Station, Narnaul. Sir, I request that I am Deepak Sharma, son of Shri Dharamdutt Sharma, village Khatoti Khurd, PO resident of Hamidpur, Tehsil Narnaul, District Mahendragarh, Haryana. I have a CSC and PNB Customer Service Centre shop at the bus stand of village Bhakhri. I am a registered BC agent of PNB Bank since 2021. My ID is I do online money transfer and K2004654. money withdrawal work under the facilities. provided by PNB Bank. Customers



keep coming. to my shop every day to transfer and withdraw money online. On 09.10.2025, Shivam Kumar, son of Bhakhri, one of Vidyasagar, Tehsil his resident Narnaul, of village District the Mahendragarh, came to my shop in a car with friends. Being from neighbouring village, I already knew Shivam, who told me that he was in dire need of cash. If you give me your QR code, I will get the money deposited in his account, which you can give me the cash. I refused to give Shivam the QR code and told him that I can give you the cash only if you send the money from your own account, otherwise not. After that, Shivam came to my shop and scanned the QR code of my PNB current account no. 1904002100003871 from his mobile and sent Rs. 91,000/- in three installments. In return, I gave him Rs. 91,000/ in cash and made a copy of Shivam's Aadhar card and kept it with me for record. After that, Shivam took the money and left. After a few days, I received a call to from my PNB bank account number. I came to know from branch God Balahan that due deposit of money related to cyber fraud in my above mentioned PNB current account, a of Rs. 45,000/ has been put on the account, hence the bank people told me to contact the to hold the local Cyber Crime Police Station, Narnaul. Today on 16.10.2025, I have come police station. I have fully satisfied myself in this matter that Shivam resident Bhakhri, in connivance with his associates, has cheated me by misleading me and deposited fraudulent money in my above mentioned PNB bank account. this In regard, I have submitted my application to you. Please act on my complaint and take action against those who cheated me and get the hold removed from my bank account. Applicant: Deepak Sharma, son of Shri Dharamdutt Sharma, resident of village Khatoti Khurd, PO Hamidpur, Tehsil Narnaul, District Mahendragarh, Date: 16.10.2025, Mobile No. 9991472460 Today Police Station Today Date On 16.10.2025, complainant Deepak Sharma, son of Shri Dharam Dutt Sharma, resident of village Khatoti Khurd, PO Hamidpur, Tehsil Narnaul, District Mahendergarh, Date 16.10.2025.'

3. Learned counsel for the petitioner has argued that the petitioner has been falsely implicated into the FIR in question. Learned counsel has further submitted that the main accusation is against co-accused Shivam, who is in custody. Learned counsel has further submitted that the



disclosure statement. 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 counsel has further submitted that multiple cheques, POS machine and sim cards were recovered from the petitioner which glaringly points out his culpability. Learned State counsel seeks to place on record custody certificate dated 18.3.2026 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 17.10.2026 wherein after investigation was carried out; challan was prepared on 11.12.2025 and subsequently filed. Total 9 prosecution witnesses have been cited but none has been examined till date. It is thus indubitable that culmination of trial will take its own time. The rival contentions raised at Bar give rise to debatable issues which shall 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 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 18.3.2026 filed by learned State counsel, the petitioner has already suffered incarceration for a period of 5 months and 2 days. As per the said custody certificate, the petitioner is



stated to be involved in 4 other cases/FIRs. Indubitably, the antecedents of a person are required to be accounted for while considering a regular bail petition preferred by him. However, this factum cannot be a ground sufficient by itself, to decline the concession of regular bail to the petitioner in the FIR in question when a case is made out for grant of regular bail *qua* the FIR in question by ratiocinating upon the facts/circumstances of the said FIR. Reliance in this regard can be placed upon the judgment of the Hon'ble Supreme Court in ***Maulana Mohd. Amir Rashadi v. State of U.P. and another, 2012 (1) RCR (Criminal) 586***; a Division Bench judgment of the Hon'ble Calcutta High Court in case of ***Sridhar Das v. State, 1998 (2) RCR (Criminal) 477*** & judgments of this Court in ***CRM-M No.38822-2022*** titled as ***Akhilesh Singh v. State of Haryana***, decided on 29.11.2021, and ***Balraj v. State of Haryana, 1998 (3) RCR (Criminal) 191***.

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/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 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

19.3.2026
Ashwani

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