



CRM-M-4561-2026 (O&M) -1-

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

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**CRM-M-4561-2026 (O&M)
Decided on: 27.03.2026**

**ABHEENASH RAMESH TAMBEKAR @ ABENAASH RAMISH
TAMBEKAR**

.....Petitioner

Versus

STATE OF HARYANA

.....Respondent

CORAM: HON'BLE MR. JUSTICE SUBHAS MEHLA

Present: Ms. Rekha Jain, Advocate for
Mr. Shasak Jain, Advocate for the petitioner.

Mr. Surender Singh Pannu, Addl. A.G., Haryana.

SUBHAS MEHLA, J. (Oral)

1. This is the second petition which has been filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 seeking grant of regular bail in case bearing FIR No.130 dated 30.04.2025 under Sections 318(4) and Section 61(2)A of BNS added later on registered at Police Station Cyber Crime Central, District Faridabad.

2. The case of the prosecution is that on 08.11.2024, the complainant, a resident of Faridabad, was contacted on WhatsApp by one Arushi Mathur from SMC Customer Service, who induced him to invest in trading. He was further connected with one Anurag Bansal. Believing them, he invested ₹34,43,000/- and was shown fake profits of ₹1,94,64,643/-. When he sought withdrawal, he was asked to pay ₹5 lakh



as commission, which he transferred on 19.12.2024, to an AU Small Finance Bank account. Thereafter, a further demand of ₹19 lakh was made, raising suspicion of fraud. In total, ₹39,43,000 has been defrauded.

3. Learned counsel for the petitioner contended that allegation against the present petitioner is that the petitioner opened a bank account and the same was handed over to co-accused to use it to park proceeds of crime gained by them through cyber fraud(s); the present petitioner is in custody since 31.08.2025 i.e. for the last 07 months; investigation in the present case, is complete; other co-accused have already been released on bail as there are total ten number of accused, out of them, nine have been released on bail; trial will take sufficient time to conclude and as such, prayed for grant of concession of regular bail to the petitioner.

4. Learned counsel for the State opposed the concession of regular bail to the petitioner while submitting that the present petitioner has actively participated in the commission of offence in the present case which is a cyber-crime as he voluntarily handed over his account kit to co-accused and permitted the other co-accused to use his account and as such, a huge amount was transferred in his account; as per disclosure statement that the petitioner had received an amount of Rs.1,25,000/- as 3% commission regarding the money routed through his bank account. It is not disputed that other co-accused have already been released on bail, however, subject to condition to deposit of some money. However, during the course of arguments and on a query posed by this Court, it is submitted that the amount received in the account of the petitioner was



transferred to different accounts and nothing has been recovered from his possession after his arrest.

6. Heard.

7. Keeping in view the facts and circumstances of the present case and the fact that the investigation is complete & challan stands presented; other co-accused have already been granted the concession of bail, subject to deposit of some amount; the only allegation against the present petitioner is that he provided his account to be used by the co-accused in the commission of cyber-crime in lieu of 3% of commission by the petitioner; the petitioner is in custody since 31.08.2025 and the trial will take sufficient time, no fruitful purpose would be served by keeping him in custody for any further period, as concession of bail cannot be denied just as a measure of punishment as culpability is to be decided by trial Court after appreciating evidence adduced by the parties, and it is a trite principle of criminal jurisprudence that bail is rule, jail is an exception, this Court deems it a fit case to grant the concession of regular bail to the petitioner.

8. Therefore, without expressing any opinion on the merits of the case, the instant petition is **allowed**. The petitioner is ordered to be released on regular bail on his furnishing requisite bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate concerned and by imposing such conditions so as to secure the presence of the petitioner during the trial proceedings.



9. Nothing observed herein shall be construed as an opinion on the merits of the main case.

(SUBHAS MEHLA)
JUDGE

27.03.2026
Sonia Puri

Whether Speaking/Reasoned: YES/NO
Whether Reportable: YES/NO