

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

2026:PHHC:033361



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CRM-M-7153-2026

Date of decision: 05.03.2026

Date of uploading: 05.03.2026

Zubair @ Juber @ Shadab

....Petitioner

V/s

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present: Ms. Mandavi Pandey, Advocate for the petitioner
(Through V.C.).

Ms. Mahima Yashpal Singla, Senior DAG, Haryana.

SUMEET GOEL, J. (ORAL)

1. Present petition has been filed under Section 483 of BNSS for grant of regular bail to the petitioner in case bearing FIR No.19 dated 16.09.2024 registered for the offences punishable under Sections 238(c), 318(4), 61(2) of BNS 2023, at Cyber Police Station, Narnaul, District Mahendergarh.

2. The case set up in the FIR in question (as set out by the petitioner in the present petition) is as follows:-

“To, Sir SHO Sir, Cyber Police Station, Narnaul. Subject: Regarding the application, on 09.08.2024, Rs. 15,00,000/-was withdrawn from the applicant's bank account no. 0360009900000377 and dated On 10.08.2024, Rs. 10,00,000/- in total Rs. 25,00,000/- was fraudulently withdrawn from online banking and the culprits who were found out and a case should be registered against them and they should be arrested and the

money should be recovered for the applicant Sir, the request is as follows: 1. That the applicant Uday Singh, son of Shri Tulsiram, resident of Plot No. 477, HUDA Sector-1, Narnol, has an account number 0360009900000377 in Punjab National Bank, Branch Nai Mandi, Narnul along with his wife Smt. Sumitra Yadav. 2. That on 31.08.2024, the mobile number of the officer of Punjab National Bank, Branch Nai Mandi was- The applicant received calls from 9306038251 at 12:58 PM and from 9782238028 at 3:09 PM, asking him to deposit interest on the loan account The applicant told the officials that they had made an advance payment to their loan account, and therefore, they could not impose interest. The officials then told the applicant that they had withdrawn money from their bank account, requiring them to deposit interest on the amount. The applicant told the bank official that they had not withdrawn any money from their bank account. The bank official then asked the applicant to come to the bank immediately. When the applicant went to the bank, the officials showed him the statement for his bank account number 0360009900000377. The statement revealed that on 09.08.2024, Through three entries, each of Rs. 5 lakh, out of which two entries were made by RTGS and one entry by IMPS, totalling Rs. 15 lakh. On 10.08.2024, through two entries of Rs. 1 lakh each, one entry by RTGS and one by IMPS, a total of Rs. 25,00,000/- was being debited, which Rs. 25,00,000/- was withdrawn by the accused with name and address by committing online bank fraud. That the applicant told the bank contractor that he was using his bank account for online banking and the accused were by cheating the applicant, they embezzled Rs. 25 lakh from my bank account without any information and without the knowledge of the applicant. 4. That the applicant gave a complaint regarding the above fraud to the Branch Manager, A. National Bank Branch, New Mandi, Narnaul and the applicant has also lodged an online cyber complaint number 21309240036583 dated: 3.09.2024. Today I have given you my complaint, please take action and get the applicant's money returned. Bank statement copy is attached. Dated 16.09.2024 SD UDAY SINGH Applicant Uday Singh son of Shri Tulsiram, resident of Plot No. 477, HUDA Sector-1, Narnaul, Tehsil Narnaul, District Mahendragarh. Mo.-

9416417649" who on the basis of the application received and other related records was found to be an offence under Section 318 (4) BNS, hence a case was registered as above and the copy along with the original application has been kept in the custody of PSI Sudhir, the police. Further action will be taken for this. Copies of the FIR are being prepared and sent to the local magistrate and the police department as per the rules. Records have been supplemented."

3. Learned counsel appearing for the petitioner has submitted that the petitioner is in custody since 05.04.2025. Learned counsel appearing for the petitioner has further argued that the petitioner has been falsely implicated into the FIR in question. Learned counsel appearing for the petitioner has further argued that there is no incriminating evidence available against the petitioner. Learned counsel appearing for the petitioner has further argued that no recovery has been made from the petitioner. Learned counsel appearing for the petitioner has further argued that, in any case, investigation qua the FIR in question is complete and challan has been filed. Learned counsel appearing for the petitioner has further argued that the petitioner is a man with clean antecedents. Thus, regular bail is prayed for.

4. Learned State counsel has filed reply by way of affidavit Deputy Superintendent of Police, Narnaul, District Mahendergarh in Court today, which is taken on record. Raising submissions in tandem with the said reply, learned State counsel has opposed the grant of bail to the petitioner by arguing that the allegations raised are serious in nature and, thus, the petitioner does not deserve the concession of regular bail. Learned State counsel seeks to place on record custody certificate dated 27.02.2026 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 05.04.2025 whereinafter investigation was carried out and challan was presented on 26.05.2025. Total 9 prosecution have been cited and it is the conceded position before this Court that none of the prosecution witness has been examined till date. It is not in dispute that conclusion of trial will take long time. The rival contentions of the learned counsel for the parties; as to the whether the petitioner has been falsely implicated into the FIR, shall be gone into 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 rights of either of the parties. Nothing tangible has been brought forward to indicate the likelihood of the petitioner absconding from the process of justice or interfering with the remaining prosecution evidence.

7. As per the custody certificate dated 27.02.2026 filed by the learned State counsel, the petitioner has suffered incarceration for 10 months & 23 days and is not shown to be involved in any other FIR/case.

Suffice to say, the further detention of the petitioner in custody is not required in the facts and circumstances of the case.

8. In view of above, the petition in hand is allowed. The petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the learned 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/Illaq Magistrate.
- (vii) The petitioner shall not in any manner try to delay the trial.

9. 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.

10. Ordered accordingly.

11. Nothing said hereinabove shall be construed as an expression of opinion on the merits of the case.

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

(SUMEET GOEL)
JUDGE

March 05, 2026
Naveen

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