



CRM-M-12463-2026

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

Sr. No.210

CRM-M-12463-2026

Date of Decision: 13.03.2026

ZAHEER ABBAS

...Petitioner

Versus

STATE OF HARYANA

....Respondent

CORAM: HON'BLE MS. JUSTICE MANDEEP PANNU

Present:- Mr. Farukh Abdullah, Advocate
for the petitioner.

MANDEEP PANNU, J. (Oral)

1. This is the first petition under Section 483 of the Bharatiya Nyaya Suraksha Sanhita, 2023 for grant of regular bail to the petitioner in FIR No. 0266 dated 06.11.2025 registered under Sections 318(4), 319, 336(3), 338, 340(2), 241 and 3(5) of the Bharatiya Nyaya Sanhita, 2023 (corresponding to Sections 420, 416, 468, 467, 471, 204 and 34 IPC) and Section 42(3)(e) of the Telecommunication Act at Police Station Cyber Crime, Nuh.
2. The brief facts of the case are that on 06.11.2025, ASI Narender along with other police officials was performing online crime and detection duty at Khanpur Ghati Bus Stand, Pinangwan, when a secret informer informed the police that the petitioner, namely Zaheer Abbas son of Sehjor Khan, resident of village Banarshi, Police Station Pinangwan, District Nuh, was involved in cyber fraud and had committed fraud outside a shop at Banarshi-Dhadoli Road. Acting upon the said information, a raiding party was constituted and the petitioner was apprehended at the disclosed place.



Upon search, one mobile phone make Realme Narzo along with SIM cards was recovered from his possession. During preliminary checking of the mobile phone, certain WhatsApp accounts were found logged in through different mobile numbers and several illegal chats, illicit videos and photographs relating to fake gold bricks and biscuits were allegedly detected, which were being operated through Facebook accounts in different names. It is further the case of the prosecution that another mobile phone make Vivo V2022 along with SIM cards was also recovered from the possession of the petitioner. On checking the said mobile numbers on the online portal, complaints were found to have been registered by complainants namely Deepak Raheja and Salamuddin in relation to cyber fraud. The recovered mobile phones, SIM cards and other articles were taken into police possession vide separate memos and on the basis of the said allegations, the present FIR came to be registered against the petitioner.

3. Learned counsel for the petitioner has argued that the petitioner has been falsely implicated in the present case and that he is not involved in any cybercrime nor any amount has been recovered from him. It is submitted that only a mobile phone and certain SIM cards have been recovered in the present case. Learned counsel further submits that the petitioner is in custody for the last about four months and the investigation in the present case stands completed. It is further argued that the trial is likely to take considerable time to conclude and, therefore, no useful purpose would be served by keeping the petitioner behind bars for an indefinite period.

4. Notice of motion.



5. Mr. Vaibhav Sharma, AAG, Haryana accepts notice and has contested the present bail application. He has placed on record the custody certificate, according to which the petitioner is in custody for the last four months and six days.

6. Learned State counsel has opposed the bail application on the ground that the recovery of mobile phones and SIM cards establishes the involvement of the petitioner in the commission of the alleged offence. However, he has not controverted the fact that the petitioner is a first-time offender and is not stated to be a habitual offender.

7. This Court is mindful of the settled proposition of law laid down by the Hon'ble Supreme Court in "*Dataram Singh vs. State of Uttar Pradesh and another*", 2018 (2) R.C.R. (Criminal) 131, wherein it has been held that the grant of bail is the rule and refusal is an exception and that a person is presumed to be innocent until proven guilty. It has further been observed that personal liberty of an individual is a precious fundamental right guaranteed under Article 21 of the Constitution of India and the same cannot be curtailed for an indefinite period unless there are compelling reasons.

8. Having heard learned counsel for the parties and after perusing the record of the case, this Court finds that the petitioner is in custody for the last four months and six days. The investigation in the present case stands completed and the trial is likely to take some time to conclude. The recovery effected in the present case is stated to be of mobile phones and SIM cards and the petitioner is stated to be a first-time offender, not involved in any other criminal case.



9. Keeping in view the custody period of the petitioner, the fact that investigation stands completed and without commenting anything on the merits of the case, this Court is of the considered opinion that no useful purpose would be served by keeping the petitioner behind the bars for an indefinite period.

10. Accordingly, the present petition is allowed and the petitioner is ordered to be released on regular bail on his furnishing bail bonds and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate concerned.

11. It is, however, clarified that nothing observed herein shall be construed as an expression of opinion on the merits of the case.

12. All pending applications, if any, also stand disposed of.

13.03.2026
Anu

(MANDEEP PANNU)
JUDGE

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