

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

CRM-M-12265-2026

Date of decision: 21.05.2026

MOHD FAIJAL @ FESAR

...PETITIONER

V/S

STATE OF HARYANA

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE SUBHAS MEHLA

Present: Mr. Nafees Ahmed, Advocate for the petitioner.

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

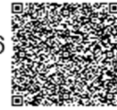
SUBHAS MEHLA, J. (ORAL)

1. By way of present petition filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short - 'the BNSS') the petitioner is seeking regular bail in case bearing FIR No.255 dated 30.10.2025 (Annexure P-1), under Sections 318(4), 319, 336(3), 338 and 340 of Bharatiya Nyaya Sanhita, 2023 (for short 'the BNS') and Section 42(3)(E) of Telecommunication Act, 2023 registered at Police Station Cyber Crime Nuh, District Nuh, Haryana.

2. Allegations qua the petitioner are that he was involved in online cyber fraud by using fake SIM cards. He used to procure fake SIM cards from one co-accused-Akil, who also transferred proceeds from crime to the petitioner.

3. Learned counsel for the petitioner prayed for grant of regular bail to the petitioner on the following grounds :

- i. Petitioner has been falsely implicated in the present case;



- ii. Petitioner is in custody since 31.10.2025 i.e. for the last 06 months and 21 days;
- iii. Investigation in the present case has been completed and final report under Section 193 BNSS has been filed.
- iv. Petitioner is not involved in any other case and is having clean and clear antecedents; and
- v. All the witnesses are police officials, so there is no apprehension that the petitioner would tamper with the prosecution evidence, after getting released on bail.

4. Learned State counsel opposed the prayer of the petitioner on the following grounds:

- i. Petitioner was actively involved in commission of cyber crime;
- ii. There is sufficient material available on record in the form of electronic evidence to prove the complicity of the petitioner.
- iii. The mobile phone recovered from the possession of the petitioner is stated to contain data relating to proceeds of cyber fraud and details regarding the amount allegedly received through said transactions.
- iv. If the petitioner would be released at this stage, he would hamper with the investigation as one co-accused Akil is yet to be arrested in the present case.

5. Heard.



6. Keeping in view the facts and circumstances of the present case, this Court finds no merit in the present petition seeking the concession of regular bail to the petitioner, on the following grounds:

- i. At this stage, material in nature of electronic evidence has been brought on record, which *prima facie* connects the petitioner with allegations in this case.
- ii. The mobile phone recovered from the possession of the petitioner is stated to contain data relating to alleged proceeds of cyber fraud and details regarding the amount allegedly received through said transactions.
- iii. Considering the fact that co-accused Akil is yet to be apprehended, the possibility of the investigation being adversely effected in event of release of petitioner at this stage cannot be ruled out.

7. In view of the above discussion, the present petition stands **dismissed**.

8. Nothing observed hereinabove shall be construed to be expression of an opinion by this Court on merits of the case. The learned Court below is directed to proceed with the matter on its own merits, lest it may prejudice the trial.

May 21, 2026
manisha

(SUBHAS MEHLA)
JUDGE

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|------|---------------------------|--------|
| (i) | Whether speaking/reasoned | Yes/No |
| (ii) | Whether reportable | Yes/No |