

CRM-M-12836-2026

2026:PHHC:039222



237

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH
CRM-M-12836-2026

Rohit Kumar
.....Petitioner

Versus

State of Haryana
.....Respondent

Date of Decision: March 13, 2026
Date of Uploading: March 13, 2026

CORAM: HON’BLE MR. JUSTICE SUMEET GOEL

Present:- Mr. Ashok Kumar Khunger, Advocate for the petitioner.
Mr. Gurmeet Singh, AAG Haryana.

SUMEET GOEL, J. (ORAL)

Present petition has been filed under Section 483 of the BNSS, 2023 seeking grant of regular bail to the petitioner, in case bearing FIR No.0058 dated 27.08.2025, registered for the offences punishable under Section 318(4) of the BNS (Section 61(2) of the BNS added subsequently), at Police Station Cyber Crime, Kurukshetra.

2. The gravamen of the allegations against the petitioner is that the complainant, namely, Kamalkant Sharma, stated that he came into contact with a woman named – Sneha Patel through Facebook. After establishing contact, Sneha Patel sent the complainant a link related to a company named IEXS. She informed him that the mobile number 447391677166 was the company’s customer care number and told him that he could obtain any

CRM-M-12836-2026

information by sending a message to this number and could also request the addition of funds through it.

Subsequently, the accused persons sent details of certain bank accounts through messages from the number 447391677166, instructing the complainant and his acquaintance – Paramjeet Kaur to deposit money into those accounts. Believing the representations made by the accused persons, the complainant and Paramjeet Kaur deposited a total amount of ₹38,50,000 into the bank accounts provided. Later, it was discovered that the money had been obtained through fraudulent means, and the accused persons had cheated them. In this manner, the unknown accused persons committed cheating and fraud against the complainant and his acquaintance.

3. Learned counsel for the petitioner has iterated that the petitioner is in custody since 07.11.2025. Learned counsel has further argued that the petitioner has been falsely implicated into the FIR in question. Learned counsel has further submitted that the petitioner is himself a victim as he has been entrapped by the co-accused. Learned counsel has further submitted that investigation *qua* FIR is already complete and culmination of trial will take long. Thus, regular bail is prayed for.

4. Learned State counsel has opposed the present petition by arguing that the allegations raised against the petitioner are serious in nature and, thus, the petitioner does not deserve the concession of the regular bail. Learned State counsel seeks to place on record the custody certificate dated 11.03.2026, in the Court today, which is taken on record.

5. I have heard counsel for the rival parties and have gone through the available records of the case.

CRM-M-12836-2026

6. The petitioner was arrested on 07.11.2025, whereinafter, investigation was carried out and the challan was presented on 09.12.2025. Out of total 15 cited prosecution witnesses, none has been examined till date. It is thus, indubitable, that conclusion of the trial will take long. 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 11.03.2026 filed by learned State counsel, the petitioner has already suffered incarceration for a period of 04 months and 04 days, & the petitioner is not shown to be involved in any other FIR(s).

Suffice to say, further detention of the petitioner as an undertrial is not warranted in the factual milieu of the case.

7. In view of above, the present petition is allowed. Petitioner is ordered to be released on regular bail, if not required in any other case, 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.

CRM-M-12836-2026

- (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.

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

(SUMEET GOEL)
JUDGE

March 13, 2026

mahavir
Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No