



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

(228)

**CRM-M-15728-2026
DATE OF DECISION: 27.03.2026**

Naved Khan

.....Petitioner

VERSUS

U.T, Chandigarh

.....Respondent

CORAM HON'BLE MR. JUSTICE SUBHAS MEHLA

Present Mr.Parunjeet Singh, Advocate, for the petitioner.
Mr. Manish Bansal, PP, UT, Chandigarh
and Mr. Dixit Bhardwaj, Advocate,
for UT, Chandigarh.

SUBHAS MEHLA, J (ORAL)

1. By way of the present petition, petitioner is seeking regular bail in case bearing FIR No.30 dated 03.04.2025, under Sections 318(4), 319(2), 336(3), 338, 340(2) and 61(2) of BNS, 2023, registered at Police Station Cyber Crime, Chandigarh.

2. Brief facts of the case are that the present FIR was registered on the complaint of Harbeer Kaur regarding a cyber fraud, wherein she was induced by a person impersonating himself as a TRAI official to transfer substantial amounts from her bank accounts on the pretext of avoiding legal action. During investigation, it was revealed that out of the defrauded amount, Rs.10 lakhs was transferred to the account of Suhail Ahmad, and from his account, an amount of Rs.5,79,032/- was further transferred subsequently to the account of the petitioner-accused, Naved Khan. The petitioner was not directly in contact with the complainant and has been implicated on the basis of money trail during investigation, and he was arrested on 01.10.2025.



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3. Learned counsel for the petitioner contended that the petitioner has been in custody for the last five months; that offences are triable by a Magistrate; that investigation has already been completed against him; that he is in the layer II as his account was allegedly used by the co-accused and he had given his account for receiving money from the accused; that he is not involved in any other criminal activity and has clear antecedents. Hence, prayer for grant of regular bail is made.

4. Notice of motion.

5. In pursuance of advance notice, Mr. Manish Bansal, PP, UT, Chandigarh, appeared on behalf of the respondent-State and vehemently opposed the prayer for grant of regular bail to the petitioner by submitting that the present petitioner was actively involved in the cyber crime and submitted that no leniency is to be shown to these kinds of criminals as these activities of cyber crime are increasing day by day in the society, however, admitted that investigation has been completed qua the petitioner, final report under Section 173 Cr.P.C has been filed and now the case is fixed for prosecution evidence before the learned trial Court. It is not disputed that the petitioner is not directly involved but is in second line of layer of crime of proceed i.e his account was used by the co-accused to transfer the proceeds of crime.

6. Heard.

7. Keeping in view the contentions of the learned counsel for the petitioner as well as learned State counsel and allegations against the petitioner that he provided his account for the commission of cyber crime to co-accused in view of some monetary benefits; that petitioner is in custody



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for the last five months; that investigation has already been completed; trial will take sufficient time to conclude and no fruitful purpose would be served by keeping him in custody for any further period, concession of bail cannot be denied just as measure of punishment, as culpability of the accused will be decided at the final stage by the trial Court after appreciating the evidences adduced by both sides 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.

9. It is made clear that if any FIR of similar nature is registered against the petitioner after release in future, then State would be at liberty to move an appropriate application for cancellation of his bail and trial Court will decide that application in accordance with law.

27.03.2026
mamta

(SUBHAS MEHLA)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No