



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

CRM-M-20733-2026

Date of decision : 12.05.2026

Shovan Saha

.....Petitioner

versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present :- Mr. Raj Kaushik, Advocate
for the petitioner.

Mr. Raj Karan Singh, AAG, Punjab.

RAJESH BHARDWAJ, J. (Oral)

1. Present second petition has been filed praying for the grant of regular bail to the petitioner in case bearing FIR No.21 dated 01.08.2024, under Sections 318, 319, 61 of the BNS, 2023 and Sections 66-C, 66-D of the Information Technology Act, 2000, registered at Police Station State Cyber Crime, District SAS Nagar (Mohali).

2. Succinctly facts of the case are that the FIR has been lodged on the statement of Harish Gupta. It was alleged that on 31.07.2024, he was in GST Office, Ludhiana for meeting with officers and in his absence one of his employee, namely, Seema who works as an Accountant in his company, received a Whatsapp message from Whatsapp account number/phone number carrying his display photograph asking her to transfer Rs.49,60,401/- in the bank account of Babu Sheikh having Indusind Bank Account No.157022401654. Seema believed that the aforementioned messages was being sent by the complainant and hence, she transferred a sum of Rs.49,60,401/- from complainant's company account in State Bank of India to IndusInd Bank account number, due to



aforementioned fraudulent transaction, complainant suffered a huge financial loss of Rs.49,60,401/-. Request was made to take legal action against the accused. On the registration of the FIR, investigation commenced. The petitioner was arrested on 02.08.2024. He approached the Court of learned Additional Sessions Judge, SAS Nagar, praying for grant of bail, however, after hearing counsel for the parties and finding no merits, the same was declined vide order dated 11.12.2024. Aggrieved by the same, petitioner earlier approached this Court by way of filing CRM-M-35284-2025, however, the same was dismissed as withdrawn vide order dated 14.07.2025. Hence, the petitioner is before this Court by way of filing the present second petition.

3. Learned counsel for the petitioner, at the outset, prays for the grant of bail on the basis of parity with that of co-accused, namely, Abhishek Kumar Singh. He has drawn the attention of this Court to the order dated 19.03.2026 passed by this Court in CRM-M-58351-2025 whereby co-accused of the petitioner, namely, Abhishek Kumar Singh, has been granted the concession of regular bail. He has submitted that case of the petitioner is at par with the co-accused, who has been granted bail by this Court. He has further submitted that on the basis of the parity, the petitioner deserves to be granted bail. He has also submitted that the petitioner is behind the bars from last more than 1½ year.

4. Per contra, learned State counsel has opposed the submissions made by counsel for the petitioner. However, he has endorsed the fact that case of the petitioner is at par with co-accused, namely, Abhishek Kumar Singh, who has already been granted bail by this Court. On instructions, he has submitted that challan has been filed,

charges have been framed and out of 23 prosecution witnesses, 11 witnesses have been examined. He has produced custody certificate of petitioner, today in the Court, which is taken on record.

5. After hearing learned counsel for the parties and perusing the record, it is deciphered that the petitioner is behind bars since the date of his arrest. As submitted by the State, out of 23 prosecution witnesses, 11 witnesses have been examined so far. The custody certificate produced would show that petitioner has suffered incarceration of 01 year, 09 months and 01 day as on 11.05.2026. It further reflects that the petitioner is not involved in any other case.

6. The veracity of the allegations would be assessed only after conclusion of the trial and on the appreciation of evidence to be led by both the parties before the trial Court. The trial of the case will take sufficiently long time. Keeping in view the arguments raised by both the sides and perusing the record, this Court is of the opinion that learned counsel for the petitioner succeeds in making out a case for grant of regular bail on the basis of parity with co-accused, Abhishek Kumar Singh, who has already been granted regular bail by this Court vide order dated 19.03.2026 passed in CRM-M-58351-2025. Accordingly, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate. Nothing said herein shall be treated as an expression of opinion on the merits of the case.

12.05.2026
m.sharma

(**RAJESH BHARDWAJ**)
JUDGE

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