



(254) CRM-M-20313-2026

(1)

**In the High Court for the States of Punjab and Haryana at
Chandigarh**

CRM-M-20313-2026
Date of Decision:- 21.05.2026

ABHINAV RAJ SINGH SENGAR

... Petitioner

Versus

STATE OF PUNJAB

... Respondent

CORAM: HON'BLE MR. JUSTICE SUBHAS MEHLA

Present:- Mr. Sudhir Rana, Advocate for the petitioner.

Mr. Subhash Godara, Additional A.G., Punjab.

SUBHAS MEHLA, J. (ORAL)

1. By way of present petition, the petitioner is seeking regular bail in case bearing FIR No.04 dated 05.08.2024, registered under Sections 318(4), 319(2) and 111 of the Bharatiya Nyaya Sanhita (BNS), 2023 (for short - 'the BNS') [Sections 420 and 419 of the Indian Penal Code, 1860 (for short - 'the IPC')] and Section 66-D of the Information Technology Act, 2000, at Police Station Cyber Crime, District Rupnagar.

2. Role attributed to the petitioner is that an amount of Rs.54,08,101/- was received by him in his bank account by way of cheating the complainant, namely, Amarinder Singh to the tune of Rs.97,53,928/- by alluring him to buy shares to earn profit on the invested amount.

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



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- (i) Petitioner is in custody since 05.09.2024;
- (ii) Petitioner is not directly involved in the commission of any cyber fraud, as he is not a member of WhatsApp group indulged in alluring persons to invest money in their fake scheme(s);
- (iii) Petitioner has not talked directly to the complainant to collect money, as the sole allegation against the petitioner is that his account was used to park the cheated amount/duped amount; and
- (iv) It is the version of the investigating agency/prosecution that the said bank account is linked with the mobile number of co-accused, namely, Mukesh bearing No.8602495922 and the same is operated by said co-accused.

4. Learned State Counsel opposed the present petition on the following grounds:-

- (i) Petitioner is a member of a gang operating through WhatsApp group, indulged in cyber crime in order to dupe persons of their money;
- (ii) An amount of Rs.54,08,101/- has been received by the petitioner in his account and it is not disputed that the said account belongs to the petitioner; and
- (iii) Petitioner is not having clean and clear antecedents, as he is involved in 02 other cases.

Heard.



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6. Keeping in view the submissions of learned counsel for the parties, facts and circumstances of the case, this Court finds merits in the present petition on the following grounds:

- (i) The petitioner has been in custody since 05.09.2024 i.e. for the last more than 01 year and 08 months;
- (ii) The investigation is complete;
- (iii) It is also the case of the State that the petitioner's bank account was operated by co-accused, namely, Mukesh through his Mobile No.8602495922.
- (iv) The petitioner was neither directly in touch with the complainant nor was the member of the gang through WhatsApp group, which prompted the complainant to join their fake scheme(s) in order to earn profits; and
- (v) The trial is likely to take considerable time to conclude and no fruitful purpose would be served by keeping him in custody for any further period.

The concession of bail cannot be denied just as a measure of punishment, as it is a trite principle of criminal jurisprudence that bail is a rule, jail is an exception. Hence, in view of the aforementioned grounds, this Court deems it a fit case to grant the concession of regular bail to the petitioner.

7. 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



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8. It is made clear that in case, after release of the petitioner on bail, if he is found involved in any other FIR, then the State would be at liberty to move an application seeking cancellation of the bail granted to the petitioner.
9. Nothing observed herein shall be construed as an opinion on the merits of the main case.

21.05.2026
Sonia Puri

(SUBHAS MEHLA)
JUDGE

Whether speaking /reasoned	Yes / No
Whether Reportable	Yes / No