



CRM-M-19848-2026 (O&M) -1-

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

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**CRM-M-19848-2026 (O&M)
Decided on: 27.05.2026**

VISHAL KUMAR

.....Petitioner

Versus

STATE OF HARYANA

.....Respondent

CORAM: HON'BLE MR. JUSTICE SUBHAS MEHLA

Present: Mr. Sunil Tandon, Advocate for (Through VC)
Mr. Aakash Juneja, Advocate
for the petitioner.

Mr. Ramesh Kumar Ambavta, DAG, Haryana.

SUBHAS MEHLA, J. (Oral)

1. By way of the 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.100 dated 16.08.2025 under Sections 318(4) and 61(2) of the Bharatiya Nyaya Sanhita, 2023 (for short - 'the BNS') registered at Police Station Cyber Crime, Rohtak.
2. Role attributed to the petitioner is that an amount of Rs.4,81,260/- was allegedly received by him in his bank account by way of cheating the complainant, namely, Jatin to the tune of Rs.10,14,000/- by alluring him to deposit money on pretext of a 'Work from home' scheme through telegram ID.



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

- (I) the allegations qua the petitioner are that he sold his bank account for Rs.10,000/- and the same was used to park the amount cheated by way of a cyber fraud;
- (II) investigation qua the petitioner has been completed and challan stands presented;
- (III) the petitioner has been in custody since 23.12.2025;
- (IV) the petitioner is having clean and clear antecedents and is not involved in any other case;
- (V) trial is likely to take long time, as such, no fruitful purpose would be served by keeping the petitioner behind the bars.

4. Notice of motion.

5. On advance notice, Mr. Ramesh Kumar Ambavta, DAG, Haryana, who is present in the Court, accepted notice on behalf of respondent-State and opposed the grant of concession of regular bail on the following grounds:

- (I) the petitioner is involved in cyber fraud and an amount of Rs. 4,81,260/- has been received in his account;
- (II) two separate complaints have also been registered on the cyber portal qua the same bank account;

However, it is fairly admitted that the investigation stands completed and the petitioner is not involved in any other FIR.



6. Custody certificate dated 26.05.2026 of the petitioner has been filed by learned State counsel and the same is taken on record. As per custody certificate, the petitioner has been behind bars since 23.12.2025 i.e. for about 05 months and 04 days.

7. Heard.

8. Taking into consideration the facts and circumstances of the present case, the rival contentions raised by learned counsel for the parties and without commenting upon the merits of the case, this Court finds merit in the present petition on the following aspects:

(I) allegedly, the petitioner sold his account to be used in cyber crime for parking the cheated amount in lieu of Rs.10,000/-;

(II) the investigation qua the petitioner has been completed and challan has been filed;

(III) the petitioner has been in custody since 23.12.2025 i.e. for 05 months and 04 days; and

(IV) the petitioner has clear and clear antecedents and is not involved in any other case.

(V) trial is likely to take sufficient time to conclude and as such, no fruitful purpose would be served by keeping him in custody for indefinite period.

9. Concession of bail cannot be denied just as a measure of punishment as culpability is to be decided by trial Court after



appreciating evidence adduced by the parties and it is a trite principle of criminal jurisprudence that bail is rule, jail is an exception, hence, this Court deems it a fit case to grant the concession of regular bail to the petitioner.

10. Therefore, without expressing any opinion on the merits of the case, the present petition is **allowed**. The petitioner is directed to be released on regular bail on his furnishing requisite bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate concerned.

(SUBHAS MEHLA)
JUDGE

27.05.2026
Sonia Puri

Whether Speaking/Reasoned: YES/NO
Whether Reportable: YES/NO