



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

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CRM-M-20613-2026 (O&M)

Decided on : 22.04.2026

Jaswant Singh Bhati

..... Petitioner

VERSUS

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE SURYA PARTAP SINGH

Present : Mr. Sonal Singh Godara, Advocate for the petitioner.
(joined through video conferencing)

Mr. Satbir Singh Goripuria, DAG Haryana.

SURYA PARTAP SINGH, J.

This petition for bail is the first petition, filed by the petitioner under Section 483 of 'the Bharatiya Nagarik Suraksha Sanhita, 2023'. It has been filed with regard to a case arising out of FIR No.131 dated 14.04.2025, for the commission of offence punishable under Sections 318(4), 61(2) of Bharatiya Nyaya Sanhita, 2023 and Section 66(D) of Information Technology Act, Police Station Cyber East, Gurugram.

2. The abovementioned FIR came into being at the instance of 'Manik Ahuja', hereinafter being referred to as 'complainant' only. It was stated by the above-named complainant that under the guise of part-time income opportunity, he was contacted by individuals on his WhatsApp number. As per complainant, thereafter a Telegram link was sent to him to join the channel, and that initially he invested money for a sum of Rs.2,000/-

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on 06.04.2025 and he was promised minor earnings. According to complainant, on 07th and 08th April, 2025, he was manipulated for transfer of large amount under the pretext of progressing further in their so-called income program, and thus, he paid following amounts on different dates:-

Rs.2000/-	-	06.04.2025
Rs.50,000/-	-	07.04.2025
Rs.25,000/-	-	07.04.2025
Rs.3.5 lacs	-	07.04.2025
Rs.5 lacs	-	07.04.2025
Rs.1.98 lacs	-	07.04.2025
Rs.2,60,000/-	-	07.04.2025
Rs.14.40 lacs	-	08.04.2025
Rs.28.98 lacs	-	07.04.2025

3. As per complainant, in the abovementioned fashion, he transferred a sum of Rs.55.28 lacs, and later on came to know that he had fallen prey to the fraudsters.

4. It is the case of the prosecution that on the basis of abovementioned statement, formal FIR of this case was lodged and the investigation taken up.

5. Notice of motion.

6. Mr. Satbir Singh Goripuria, DAG Haryana appears on behalf of respondent-State. Hence service of notice upon the State is hereby dispensed with. Custody certificate of the petitioner has been filed. The same be taken

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on record. No formal reply has been filed by the State. However, the learned State Counsel has orally opposed the present petition.

7. Heard.

8. It has been contended by learned counsel for the petitioner that the petitioner is innocent, who has been falsely implicated in the present case. According to learned counsel for the petitioner, the petitioner is studying in Class XII, and that he was misled by the main beneficiary of the alleged fraud. As per learned counsel for the petitioner, the only role, which may be attributed to the petitioner, is that he allowed the fraudsters to use his account and for that mistake he has already served incarceration for a period of almost ten months. While claiming that nothing has been left to be recovered from the possession of petitioner, and that detention of petitioner in judicial lock-up is not likely to serve any purpose, the learned counsel for the petitioner has sought the benefit of bail for the petitioner.

9. The learned State Counsel has controverted the abovementioned arguments. According to learned State Counsel, the instant case is a case of cyber fraud, wherein direct link between the petitioner and the commission of offence stands established from the fact that the money transferred by the victim/complainant landed into the account of petitioner. As per learned State Counsel, repeatedly it has been observed by the Hon'ble Supreme Court of India that the cybercrime matters should be dealt with strictly by the Court. While claiming that offence committed by the petitioner is grievous in nature, the learned State Counsel has sought for the dismissal of the present petition.

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10. The record has been perused carefully.

11. A perusal of record shows that in the present case, following are the relevant factors which are required to be taken into consideration for a decision:-

- i. that the present case is not the only case, wherein the petitioner has been prosecuted for the offence of cheating. Rather one more case, vide FIR No.89 dated 30.08.2024, under Sections 406 and 420 of IPC, is pending against the petitioner. In the abovementioned case, the petitioner is on bail;
- ii. that in the present case, the total period of custody of the petitioner is merely ten months, and the trial is going on. The abovesaid period by any standard cannot be treated to be a period of prolonged incarceration, inviting an inference that there is delay in trial;
- iii. that the link between the petitioner and the commission of offence is established with the help of documentary evidence as part of the money transferred by the victim/complainant was credited in the account of petitioner; and
- iv. that the instant case is a case of cyberfraud and this fact cannot be ignored that cybercrime activities have a very negative impact on the digital economy of the country. Thus, as per settled law, such fraudulent act cannot be ignored.

12. Taking into consideration the cumulative effect of all the abovementioned factors, it is hereby held that the petitioner is not entitled for the benefit of bail and the present petition being devoid of merit deserves dismissal.

13. Accordingly, the present petition is hereby *dismissed*.
14. Pending miscellaneous application(s), if any, also stand(s) disposed of, accordingly.

(SURYA PARTAP SINGH)
JUDGE

22.04.2026

Gaurav Thakur

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