



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

248

CRM-M-22592-2026 (O&M)
Date of Decision:- 27.05.2026

(I)

Ashish Pandey ... Petitioner

Versus

State of Haryana ... Respondent

(II)

CRM-M-24311-2026 (O&M)

Sajal Agarwal ... Petitioner

Versus

State of Haryana ... Respondent

CORAM: HON'BLE MR. JUSTICE SUBHAS MEHLA

Present:- Mr. Sahil Goel, Advocate, for the petitioner (through VC)
in CRM-M-22592-2026.

Mr. Akhil Kashyap, Advocate, for the petitioner
in CRM-M-24311-2026.

Mr. Ramesh Kumar Ambavta, DAG, Haryana.

Mr. Prateek Rathee, Advocate, and
Mr. Ashutosh Singh, Advocate, for the complainant.

SUBHAS MEHLA, J. (Oral)

1. This order shall dispose of above mentioned two petitions filed for grant of regular bail by the petitioners, namely, Ashish Pandey and Sajal Agarwal in case bearing FIR No.7 dated 18.01.2026 registered under Sections



CRM-M-22592-2026 (O&M) &
CRM-M-24311-2026 (O&M)

(2)

318(4), 61(2) and 316(5) of the Bharatiya Nyaya Sanhita, 2023 (for short - 'the BNS') at Police Station Cyber Crime, District Panipat.

2. Briefly stated, the allegations qua petitioners Ashish Pandey and Sajal Agarwal are that they unauthorizedly accessed and shared the bank account details and account balance information of the complainant with main accused, namely, Randhir Singh Rathore, thereby facilitating the fraudulent encashment of the cheques amounting to Rs.35 lakhs.

3. Learned counsel for the petitioner(s) prayed for grant of concession of bail to the petitioners on the following grounds:

- i. That petitioners have been falsely implicated in the present case;
- ii. That the petitioners were not named in the FIR, and no allegations were levelled qua them;
- iii. That allegations disclose a dispute arising out of private commercial transactions between the complainant and the main accused, namely, Randhir Singh Rathore, and the bank officials i.e. the petitioners are unnecessarily being dragged in it;
- iv. That 'Positive Pay System' is an optional facility under RBI guidelines, and since the complainant had not opted for the same, therefore no prior customer information was required if cheque was placed before any branch of the Bank across the country;
- v. That the cheque was processed on standard verification checks, and no discrepancy was found;



CRM-M-22592-2026 (O&M) &
CRM-M-24311-2026 (O&M)

(3)

- vi. That petitioners has no role in clearing of the cheques of the complainant;
 - vii. That neither the complainant nor the main accused is a customer of the bank branch where the petitioners are employed. The main accused Randhir Singh Rathore is a customer of some other branch i.e. sector 110, Noida, UP, and the complainant's account is maintained with the Panipat Branch, whereas the petitioners are employed in Sector 137, Noida, UP of the Kotak Mahindra Bank;
 - viii. That there is no allegation in the FIR that the cheques were stolen, forged or un-authorised. Once the issuance of cheques is admitted, no element of fraud or criminal intent can be attributed to the bank employees, who merely processed the cheques in the ordinary course of banking operations;
 - ix. That petitioners have clean and clear antecedents;
 - x. The petitioners have been in custody since 21.03.2026 and 18.03.2026 respectively;
 - xi. That investigation is complete and challan stands presented; and
 - xii. That trial will take sufficient time to conclude.
4. Separate replies by way of affidavit of Satish Kumar, HPS, Deputy Superintendent of Police, HQ, Panipat, has been filed by learned State counsel and the same are taken on record.
5. Learned counsel for the complainant opposed the contentions made by learned counsel for the petitioners by submitting that petitioners



CRM-M-22592-2026 (O&M) &
CRM-M-24311-2026 (O&M)

(4)

along with co-accused, namely, Randhir Singh Rathore cheated the complainant by misusing the security cheques given to the co-accused-Randhir Singh Rathore.

6. Learned State Counsel opposed the present petition on the following ground:

- i. That the petitioners acted in pursuance of criminal conspiracy with the main accused, Randhir Singh Rathore, and co-accused Dipesh Bhardwaj;
- ii. That petitioners have been nominated upon disclosure statement of co-accused Dipesh Bhardwaj, who was nominated by the main accused Randhir Singh Rathore;
- iii. That complainant's bank account balance was illegally checked by the petitioners, who are Manager and Deputy Manager, respectively of the bank branch concerned, and they knowingly agreed to misuse the banking process by deliberately sending the cheques to the 'Hub' instead of processing them at the branch so that the cheques could be cleared without verification.
- iv. However, it was fairly admitted that investigation qua the petitioners is complete, and challan stands presented, and factum of custody and clean antecedents is also not disputed.

7. Heard.

8. 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. That the petitioners were not named in the FIR and no specific allegations were levelled qua them at the initial stage;
- ii. That the dispute, prima facie, appears to arise out of private commercial transactions between the complainant and the main accused, namely, Randhir Singh Rathore;
- iii. That as per the stand taken by the petitioners, the 'Positive Pay System' is only an optional facility under the RBI guidelines and since the complainant had not opted for the same, no prior customer confirmation was required before processing the cheques;
- iv. That the cheques in question were stated to have been processed after standard verification checks and no discrepancy was found therein;
- v. That neither the complainant nor the main accused maintained accounts with the branch where the petitioners were posted;
- vi. That there is no allegation in the FIR that the cheques were stolen, forged or unauthorized and, prima facie, the issuance of the cheques is not disputed;
- vii. That the petitioners have clean and clear antecedents;
- viii. That the petitioners have remained in custody since 21.03.2026 and 18.03.2026 respectively;
- ix. That investigation in the case already stands completed and challan has been presented before the competent Court;



CRM-M-22592-2026 (O&M) &
CRM-M-24311-2026 (O&M) (6)

x. That no useful purpose would be served by keeping the petitioners behind bars for an indefinite period, especially when the conclusion of trial is likely to take considerable time.

9. 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 and jail is an exception. Hence, in view of aforementioned ground, this Court deems it a fit case to grant the concession of regular bail to the petitioners.

10. Therefore, without expressing any opinion on the merits of the case, the instant petitions are allowed. The petitioners are ordered to be released on regular bail on their furnishing requisite bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate concerned.

11. A copy of this order be placed on the file of aforementioned connected case.

27.05.2026
Geeta

(SUBHAS MEHLA)
JUDGE

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