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

CRM-M-23709-2026

Date of decision: 29.04.2026

Lovepreet Singh @ Arshdeep Singh

.....Petitioner

Versus

State of Haryana and another

..... Respondents

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present :- Mr. Sandeep S. Majithia, Advocate
for the petitioner.

Mr. Tanuj Sharma, AAG, Haryana.

RAJESH BHARDWAJ, J.

1. Prayer in the present petition is for grant of anticipatory bail to the petitioner in case FIR No.47 dated 25.08.2025, under Sections 318(4), 336(3), 338, 340, 61 of the BNS, 2023, registered at Police Station Cyber Crime, Kaithal, Haryana.

2. Succinctly, the facts of the case are that the FIR was registered on the basis of complaints dated 01.08.2025 and 05.08.2025 submitted by one Iqbal Singh. It was informed that the complainant was maintaining bank accounts in Axis Bank and PNB Bank. It was further informed that on 06.07.2025, the complainant came across an advertisement on Facebook regarding the stock market. Upon clicking on the website named 'Axis Direct', the same opened, wherein, he shared all the details like Pan Card, Aadhaar Card, Mobile number, etc. and thereafter, his account/wallet was created. It was alleged that on 15.07.2025, when the complainant tried to open the app, the same did not



open. The complainant received a voice message on whatsapp informing him that their trading company was offering an 8% profit margin and that, if he wished to invest, they would guide him through the entire procedure and also sent screen shots of all the process. On the same day, i.e. on 15.07.2025, the complainant transferred an amount of Rs.102/- from his Axis Bank to their disclosed bank account which reflected in his wallet. Thereafter, he again transferred an amount of Rs.49,905/- to their account. It was alleged that the complainant continued to invest money in the stock market and such transfers were shown as reflected in his wallet. The accused also sent fake SEBI certificates to induce the complainant for further transfers. In total, the complainant transferred an amount of Rs.60,50,000/- to different bank accounts on the basis of such fake SEBI certificates. However, later on the complainant realized that he had been cheated and thus, made complaint against accused persons. On the basis of the complaint, the FIR was registered and investigation commenced. During the investigation, complicity of the petitioner surfaced and thus, he was arrayed as an accused in the present case. Apprehending his arrest, the petitioner approached the Court of learned Additional Sessions Judge, Kaithal praying for the grant of anticipatory bail. However, after hearing both the sides and finding no merit in the same, the learned Additional Sessions Judge, Kaithal declined the bail application filed by the petitioner vide order dated 21.04.2026. Hence, being aggrieved, the petitioner is before this Court by way of filing the present petition praying for the grant of anticipatory bail.

3. Learned counsel for the petitioner has submitted that the petitioner has been falsely and frivolously implicated in the present case.



He has submitted that neither the petitioner is named in the FIR nor there is any evidence regarding his complicity in the alleged offence. He has submitted that the petitioner has been implicated in the present FIR only on the basis of disclosure statement of co-accused Anshul Thakur, which is not even an admissible evidence. He has further submitted that the matter has been compromised between the parties by way of compromise deed dated 26.03.2026, wherein it was stated that the petitioner is not involved in the said FIR. He has submitted that the petitioner has no criminal antecedents as he has never been involved in any other case. He has thus, submitted that keeping in view the facts and circumstances of the case, the petitioner deserves to be granted anticipatory bail.

4. Learned counsel for the State, however, has opposed the submissions made by learned counsel for the petitioner. He has submitted that complicity of the petitioner has been *prima facie* established during the investigation conducted so far. He has submitted that during the investigation conducted so far, it has been found that out of the aforesaid amount of Rs.60,50,000/-, the amount of Rs.5,25,000/- was transferred in the bank account of one Jasbir, who during investigation disclosed that he had shared his bank account details with co-accused Anshul Thakur, in good faith. He submits that co-accused Anshul Thakur further received an amount of Rs.5,000/ as commission from the present petitioner for providing the bank account details of Jasbir to him and the petitioner received an amount of Rs.5,25,000/- in cash. He has submitted that the petitioner has a direct connection with the transactions in question in the offence committed. He has submitted that no case for the grant of anticipatory bail to the petitioner is made out and thus, the present petition



deserves to be dismissed.

5. Learned counsel appearing on behalf of the complainant has also opposed the submissions made by learned counsel for the petitioner. He has submitted that the complainant was cheated for an amount of Rs.60,50,000/- by the petitioner. He has submitted that the petitioner has a direct connection with the transactions and the bank account of the petitioner is indulged in online fraud. He has submitted that no case for the grant of anticipatory bail to the petitioner is made out and thus, the present petition deserves to be dismissed.

6. The Court has heard learned counsel for the parties and perused the record with their able assistance.

7. It has been transpired that complicity of the petitioner has been *prima facie* established. The petitioner has been implicated in the present FIR on the basis of disclosure statement made by co-accused Anshul Thakur. Out of the aforesaid amount of Rs.60,50,000/-, an amount of Rs.5,25,000/- was received in cash by the petitioner and thus, the petitioner has a direct connection with the transactions in question in the offence committed. Though the matter was allegedly compromised between the parties but to unearth the whole racket of cyber fraud/cyber criminals, custodial interrogation of the petitioner is required. Investigation in this case is still going on. Needless to say that such like offences, i.e. cyber crimes are on rise.

8. For the consideration of anticipatory bail, the statutory parameters are given under Section 482(2) of Bharatiya Nagarik Suraksha Sanhita, 2023 which reads as under:-

“Direction for grant of bail to person apprehending arrest:-



Where any person has reason to believe that he may be arrested on an accusation of having committed a non-bailable offence, he may apply to the High Court or the Court of Session for a direction under this section; and that Court may, if it thinks fit, direct that in the event of such arrest, he shall be released on bail.

When the High Court or the Court of Sessions makes a direction under sub-section (1), it may include such conditions in such directions in the light of the facts of the particular case, as it may think fit, including-

- (i) a condition that the person shall make himself available for interrogation by a police officer as and when required;*
- (ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;*
- (iii) a condition that the person shall not leave India without the previous permission of the Court;*
- (iv) such other condition as may be imposed under sub-section (3) of Section 480, as if the bail were granted under that Section.*

9. As per law settled by the Hon'ble Supreme Court, in **Gurbaksh Singh Sibbia Vs. State of Punjab, AIR 1980 SC 1632**, while granting anticipatory bail, the Court is to maintain a balance between the individual liberty and the interest of society. However, the interest of the society would also prevail upon the right of personal liberty. The relevant part of the judgment is as follows:-

31. In regard to anticipatory bail, if the proposed accusation appears to stem not from motives of



furthering the ends of justice but from some ulterior motive, the object being to injure and humiliate the applicant by having him arrested, a direction for the release of the applicant on bail in the event of his arrest would generally be made. On the other hand, if it appears likely, considering the antecedents of the applicant, that taking advantage of the order of anticipatory bail he will flee from justice, such an order would not be made. But the converse of these propositions is not necessarily true. That is to say, it cannot be laid down as an inexorable rule that anticipatory bail cannot be granted unless the proposed accusation appears to be actuated by mala fides; and, equally, that anticipatory bail must be granted if there is no fear that the applicant will abscond. There are several other considerations, too numerous to enumerate, the combined effect of which must weigh with the court while granting or rejecting anticipatory bail. The nature and seriousness of the proposed charges, the context of the events likely to lead to the making of the charges, a reasonable possibility of the applicant's presence not being secured at the trial, a reasonable apprehension that witnesses will be tampered with and "the larger interests of the public or the state" are some of the considerations which the court has to keep in mind while deciding an application for anticipatory bail. The relevance of these considerations was pointed out in State v. Captain Jagjit Singh (1962) 3 SCR 622, which, though, was a case under the old Section 498 which corresponds to the present Section 439 of the Code. It is of paramount consideration to remember that the freedom of the individual is as necessary for the survival of the society as it is for the egoistic purposes of the individual. A person seeking anticipatory bail is still a free man



entitled to the presumption of innocence. He is willing to submit to restraints on his freedom, by the acceptance of conditions which the court may think fit to impose, in consideration of the assurance that if arrested, he shall be enlarged on bail.

10. The Hon'ble Supreme Court in **State Vs. Anil Sharma, (1997) 7SCC 187**, held as under:-

6. We find force in the submission of the CBI that custodial interrogation is qualitatively more elicitation-oriented than questioning a suspect who is well ensconced with a favorable order under Section 438 of the Code. In a case like this effective interrogation of a suspected person is of tremendous advantage in disinterring many useful informations and also materials which would have been concealed. Success in such interrogation would elude if the suspected person knows that he is well protected and insulated by a pre-arrest bail order during the time he is interrogated. Very often interrogation in such a condition would reduce to a mere ritual. The argument that the custodial interrogation is fraught with the danger of the person being subjected to third-degree methods need not be countenanced, for, such an argument can be advanced by all accused in all criminal cases. The Court has to presume that responsible police officers would conduct themselves in a responsible manner and that those entrusted with the task of disinterring offences would not conduct themselves as offenders.

11. Weighing the facts of the case on the anvil of the law settled, it is apparent that the complicity of the petitioner has been prima facie found. Allegations made against the petitioner are serious in nature.

Needless to say, the investigation is at the initial stage and in the facts and

circumstances, custodial interrogation of the petitioner would be essential and granting anticipatory bail to the petitioner at this stage would scuttle the ongoing investigation.

12. In view of the overall facts and circumstances of the case, the petitioner does not qualify for the grant of anticipatory bail and the same is hereby dismissed. Nothing said herein shall be treated as an expression of opinion on the merits of the case.

29.04.2026
m. sharma

(RAJESH BHARDWAJ)
JUDGE

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