IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Sr. No.104

CRM-M-26483-2026
Date of Decision: 12.05.2026

GAURAV ALIAS SAURAV ALIAS GORA **...Petitioner**

Versus

STATE OF PUNJAB AND ANOTHER **....Respondents**

CORAM: HON'BLE MS. JUSTICE MANDEEP PANNU

Present:- Mr. Vikas Sharma, Advocate
for the petitioner.

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MANDEEP PANNU, J. (Oral)

1. Present petition has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (corresponding to Section 438 Cr.P.C.) for grant of anticipatory bail to the petitioner in case FIR No. 2 dated 26.02.2026, registered under Section 318(4) of the Bharatiya Nyaya Sanhita, 2023 (corresponding to Section 420 IPC), at Police Station Cyber Crime, District Shaheed Bhagat Singh Nagar.

2. Briefly stated, the present FIR has been registered on the complaint moved by Gurpreet son of Mahinder Singh, resident of Village Barwa, District Shaheed Bhagat Singh Nagar, alleging that the petitioner along with co-accused Vikram Singh @ Vicky and others induced the complainant and certain other persons to open bank accounts in Canara Bank, Nawanshahr, on the pretext that the Government would deposit unemployment allowance of Rs.2,000/- per month in their accounts. It is alleged that after getting the accounts opened, the accused persons retained the ATM cards, passbooks and mobile SIMs linked with the said bank

accounts. Thereafter, the accused allegedly used the said accounts and SIM cards for making calls to innocent persons and for receiving amounts in those accounts by deceitful means and subsequently withdrew the said amounts after obtaining OTPs. It has further been alleged that an FIR bearing No.489 dated 11.07.2025 under Sections 316(2), 318(4) BNS and Section 66D of the Information Technology Act came to be registered at Police Station Thrikkakkara, Kerala in relation to the transactions carried out through the aforesaid accounts.

3. Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case and has no role in the alleged cheating. It is submitted that FIR No.489 dated 11.07.2025 registered at Police Station Thrikkakkara City, Kerala, under Sections 316(2), 318(4) BNS and Section 66D of the Information Technology Act was lodged against unknown persons and the petitioner is neither named therein nor connected with the said transactions in any manner. It is further contended that the complainant, in order to evade his own liability arising out of the said transactions, has falsely involved the petitioner in the present FIR by concocting a fabricated story. Counsel for the petitioner further submits that the ATM cards, passbooks and SIM cards were issued by the concerned authorities after due process and that the transactions, if any, can be verified through CCTV footage of the ATMs as well as through IMEI tracking of the mobile phones in which the SIM cards were allegedly used. It has also been argued that even the name of the petitioner has been incorrectly mentioned in the FIR as “Saurav”, whereas his correct name as per Aadhaar Card is “Gaurav”, which itself shows that the complainant was not properly

acquainted with the petitioner. It is further argued that both the complainant and the petitioner belong to the same village and the present FIR has been lodged due to personal grudge and with an intention to harass and humiliate the petitioner. Learned counsel submits that the petitioner is ready and willing to join investigation and is entitled to the concession of anticipatory bail. It has also been submitted that the petitioner is the sole breadwinner of his family and is taking care of his grandmother and is also suffering from a fracture in his right arm for which a steel rod had been inserted and further medical treatment is required.

4. Notice of motion.

5. On the asking of the Court, Mr. Sahil Chowdhary, AAG, Punjab accepts notice on behalf of the respondent-State and opposes the prayer for grant of anticipatory bail to the petitioner.

6. Learned State counsel submits that the allegations against the petitioner are serious in nature and pertain to an organized cyber fraud racket being operated by the petitioner along with his co-accused. It is contended that the petitioner and his associates induced innocent persons to open bank accounts on the false pretext that financial benefits would be credited by the Government and thereafter retained the ATM cards, passbooks and SIM cards linked with those accounts. Learned State counsel further submits that the said bank accounts and SIM cards were subsequently used for cheating unsuspecting persons and for routing fraudulent transactions, causing wrongful loss to innocent victims. It is further submitted that the investigation has revealed that multiple transactions were conducted through the accounts opened at the instance of the accused persons and even an FIR

registered in the State of Kerala in relation to cyber fraud transactions has surfaced during investigation. Learned State counsel argues that the petitioner was actively involved in the entire process and custodial interrogation of the petitioner is necessary for recovery of electronic devices, SIM cards, bank documents and for tracing the money trail as well as identifying other persons involved in the racket. Prayer has accordingly been made for dismissal of the present petition.

7. I have heard learned counsel for the parties and have gone through the material available on record. The allegations against the petitioner cannot be said to be trivial in nature. The material collected during investigation *prima facie* indicates that the petitioner, along with co-accused, was involved in luring innocent persons into opening bank accounts on false assurances and thereafter using those accounts, ATM cards and SIM cards for carrying out cyber fraud transactions. The allegations further disclose that the accounts so opened were utilized for receiving cheated amounts from unsuspecting persons and withdrawing the same by misuse of banking credentials and OTPs. The nature of accusations clearly reflects existence of a well-planned and organized racket involving cyber fraud and cheating of innocent persons. Such offences have far-reaching consequences upon society and the financial system and are required to be viewed seriously. The investigation is still at a nascent stage and the involvement of other persons connected with the alleged racket is yet to be unearthed. The custodial interrogation of the petitioner appears necessary for effective investigation, recovery of incriminating material, tracing of the money trail, identification

of beneficiaries of the fraudulent transactions and to ascertain the complete *modus operandi* adopted by the accused persons.

8. At this stage, this Court does not find any ground to extend the extraordinary concession of anticipatory bail to the petitioner. The plea raised on behalf of the petitioner regarding false implication and personal grudge are matters of defence which cannot be gone into in detail at this stage.

9. Keeping in view the seriousness of the allegations, the manner in which the offences are alleged to have been committed and the requirement of custodial interrogation for unearthing the larger racket, this Court is of the considered opinion that the petitioner does not deserve the concession of anticipatory bail.

10. Accordingly, the present petition is dismissed.

11. However, nothing stated hereinabove shall be construed as an expression of opinion on the merits of the case.

12. All pending applications, if any, also stand disposed of.

(MANDEEP PANNU)
JUDGE

12.05.2026
Anu

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