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

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**CRM-M-30963-2026
Date of decision : 01.07.2026
Date of uploading : 01.07.2026**

Pardeep Kumar …………Petitioner

Versus

State Of Haryana …….Respondent

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present: Mr. Ajay Ghangas, Advocate for the petitioner.

Mr. Gurmeet Singh, AAG, Haryana.

SUMEET GOEL, J. (ORAL)

1. Present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') for grant of regular bail to the petitioner in case FIR No.378 dated 18.10.2025 under Sections 318(4), 61(2) of BNS, registered at Police Station Cyber Crime East, Gurugram.

2. The case set up in the FIR in question (as set out in the present petition by the petitioner) is as follows:-

> *"To, The SHO, Cyber Crime Police Station, East Gurugram. Subject: Fraud of Rs. 82,48,021/- in the name of Investment. Sir, it is respectfully submitted that I, Balraj Singh son of Gangaram, resident of House No. G32, 2nd Floor, Tulip Garden, Sushant Lok-2, Sector 57, Gurugram, state that during the month of August, one day I received a WhatsApp call from phone number 9866734892. The caller introduced himself as Karn Subhash Arora and stated that he was speaking from MUNOTH CAPITAL LTD Company, which according to him was a SEBI-listed company dealing in the share market. He further stated that he was working in the said company on the post of Assistant to Manager. After introducing himself, he started explaining various investment plans to me and after some conversation he told me that first I should join their WhatsApp group where information regarding several investment plans would be available. Thereafter, he added me to a WhatsApp group named "VIP PROFIT*

MAKERS" in which around 100 members were already added. I observed in the WhatsApp group that investments were being made and people's money was apparently getting doubled. Thereafter, I again received a call from him wherein he stated that my membership with their company had been confirmed and that I was required to make investments. Subsequently, he sent me WhatsApp: the following URL on https://apps.apple.com/us/app/mhalphaterminalfan/id6749 268989 and thereafter got an application installed in my phone under the name "ALFA NAVIGATOR". Thereafter, I was asked to make investments through the said application and I was also guided regarding the registration process. After that, he again called me and assured me that if I invested money, I would earn substantial profits, and thereafter they induced me to invest money. In the chat section of the said application, the bot system provided various bank account details on which I made transactions from my AXIS Bank Account No. 914010006389788, IFSC Code UTIBO0001366, the details of which are as following.
Bandhan Bank A/C No. 20100062257071, IFSC Code BDBL0001146 - Amount Rs. 4,75,016/-
BOB A/C No. 82620200001427, IFSC Code BARBOVIMORI Amount Rs. 2,00,000/-
BOB A/C No. 06880200001308, IFSC Code BARBOBHUBAN Amount Rs. 25,005/-
BOB A/C No. 34740200000305, IFSC Code BARBOGANGAN Amount Rs. 4,00,000/-
Shivalik Small Finance Bank A/C No. 102412250114, IFSC Code SMC0001024 Amount Rs. 7,00,000/-
BOB A/C No. 50240200000580, IFSC Code BARBOJAKKAN - Amount Rs. 51,00,000/-
Further, I also made the following transactions from my bank account bearing No. 158527122002, IFSC Code INDB0000556, the details of which are as follows:-
BOB A/C No. 82620200001427, IFSC Code BARBOVJMORI Amount Rs. 5,00,000/-
BOB A/C No. 06880200001308, IFSC Code BARBOBHUBAN Amount Rs. 3,50,000/-
BOB A/C No. 31210200001945, IFSC Code BARBOASHPAT Amount Rs. 4,98,000/-
After transferring all the above-mentioned amounts from my accounts into the said bank accounts, when I tried to withdraw my money, they started demanding that I deposit more money. Thereafter, when I disclosed the matter to others, I came to know that such activities amount to cyber fraud. Hence, I have submitted this complaint before you and request that an FIR be registered regarding the cyber fraud and cheating committed against me. Sd/- Balraj Singh son of Gangaram Mobile No.8527122002."

3. Learned counsel for the petitioner has argued that the petitioner is in custody since 25.11.2025. Learned counsel has further argued that the petitioner has been falsely implicated into the FIR in question. Learned counsel has further submitted that the petitioner's bank account/details were, in fact, misused by the co-accused. Learned counsel has further submitted that, upon culmination of investigation qua the

petitioner, the challan has already been presented qua the petitioner. Learned counsel has further submitted that the trial emanating from the FIR is a magisterial one. Thus, regular bail is prayed for.

4. Learned State counsel has opposed the present petition by arguing that the allegations raised are serious in nature and thus the petitioner does not deserve the concession of the regular bail. Learned State counsel seeks to place on record custody certificate dated 30.06.2026 in Court, which is taken on record.

5. I have heard counsel for the parties and have gone through the available records of the case.

6. The petitioner was arrested on 25.11.2025 wherein after investigation was carried out and challan qua the petitioner stands presented on 06.01.2026. Total 06 prosecution witnesses have been cited but none has been examined till date. It is thus indubitable that culmination of trial will take its own time. The rival contentions raised by learned counsel give rise to debatable issues which shall be ratiocinated upon during the course of trial. This Court does not deem it appropriate to delve deep into these rival contentions, at this stage, *lest* it may prejudice the trial. Nothing tangible has been brought forward to indicate the likelihood of the petitioner absconding from the process of justice or interfering with the prosecution evidence.

6.1 As per custody certificate dated 30.06.2026 filed by learned State counsel, the petitioner has already suffered incarceration for a period of 07 months and 5 days & is shown to be involved in one other case. Indubitably, the antecedents of a person are required to be accounted for while considering a regular bail petition preferred by him. However, this factum cannot be a ground sufficient by itself, to decline the concession of regular bail to the petitioner in the FIR in question when a case is made out for grant of regular bail *qua* the FIR in question by ratiocinating upon the facts/circumstances of the said FIR. Reliance in this regard can be placed upon the judgment of the Hon'ble Supreme Court in ***Maulana Mohd. Amir Rashadi v. State of U.P. and another, 2012 (1) RCR (Criminal) 586***; a Division Bench judgment of the Hon'ble Calcutta High Court in case of ***Sridhar Das v. State, 1998 (2) RCR (Criminal) 477*** & judgments of this Court in ***CRM-M No.38822-2022*** titled as ***Akhilesh Singh v. State of Haryana,*** decided on 29.11.2021, and ***Balraj v. State of Haryana, 1998 (3) RCR (Criminal) 191.***

Suffice to say, further detention of the petitioner as an undertrial is not warranted in the facts and circumstances of the case.

7. In view of above, the present petition is allowed. Petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the Ld. concerned CJM/Duty Magistrate. However, in addition to conditions that may be imposed by the concerned CJM/Duty Magistrate, the petitioner shall remain bound by the following conditions:-

(i) The petitioner shall not mis-use the liberty granted.
(ii) The petitioner shall not tamper with any evidence, oral or documentary, during the trial.
(iii) The petitioner shall not absent himself on any date before the trial.
(iv) The petitioner shall not commit any offence while on bail.
(v) The petitioner shall deposit his passport, if any, with the trial Court.
(vi) The petitioner shall give his cell-phone number to the Investigating Officer/SHO of concerned Police Station and shall not change his cell-phone number without prior permission of the trial Court/Illaqa Magistrate.
(vii) The petitioner shall not in any manner try to delay the trial.

8. In case of breach of any of the aforesaid conditions and those which may be imposed by concerned CJM/Duty Magistrate as directed hereinabove or upon showing any other sufficient cause, the State/complainant shall be at liberty to move cancellation of bail of the petitioner.

9. Ordered accordingly.

10. Nothing said hereinabove shall be construed as an expression of opinion on the merits of the case.

(SUMEET GOEL)
JUDGE

01.07.2026
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Whether speaking/reasoned: Yes/No
Whether reportable: Yes/No