

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

CRM-M-35115-2025

Date of decision : 23.02.2026

Sahil**.....Petitioner****versus****State of Haryana****..... Respondent****CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ**

Present :- Mr. J.P. Jangu, Advocate
for the petitioner.

Ms. Diya Sodhi, Senior DAG, Haryana.

RAJESH BHARDWAJ, J. (Oral)

1. Petitioner has approached this Court by way of filing the present petition praying for grant of regular bail to him in case FIR No.48 dated 22.09.2024, under Sections 318(4), 319, 336(3), 338, 340, 3(5) and 95 of BNS, 2023 (Sections 319, 340 replaced with Sections 319(2) and 340(2) of BNS, 2023) registered at Police Station Cyber Crime, District Rewari.

2. Succinctly facts of the case are that the police on 22.09.2024 received a secret information to the effect that Sahil (petitioner) and Sajid were involved in committing cyber offence. It was informed that they were sitting on the canal bridge on the road from Ransi Majri towards Mayan. If the raid is conducted, they could be arrested on the spot. On receiving the secret information, the police reached at the disclosed place and two persons as resembling in the secret information were found sitting there. Both were apprehended. On asking, they disclosed their names as Sahil (petitioner) and Sajid. On their search, various mobile phones were recovered. Thus, the FIR was registered. On registration of the FIR, investigation commenced. During investigation, it was found that they used to purchase the SIM and mobile phones in the name of others and thereafter used to give fake calls to



various people. In this way, they used to ask the victims to pay money which would be deposited in the account of one Ajij and on the same, they used to get commission. On completion of the investigation, challan was presented and on framing of the charges, trial commenced. Petitioner approached the Court of learned Additional Sessions Judge, Rewari however, after hearing counsel for the parties, the same was declined vide order dated 28.05.2025. Being aggrieved, petitioner earlier approached this Court by way of filing CRM-M-3291-2025 however, the same was dismissed as withdrawn vide order dated 10.03.2025. Hence, petitioner is before this Court by way of filing the present second petition.

3. It has been contended by learned counsel for the petitioner that the petitioner is a young boy, who has been falsely implicated on the basis of secret information. He thus, submits that the main allegations are against co-accused namely, Ajij in whose account, the money would get deposited. It is submitted that there is no account in the name of the petitioner and thus, there is no transaction in his account. He submits that the petitioner is behind the bars from last about 1 ½ years and the material witnesses already stand examined. To buttress his arguments, learned counsel for the petitioner submits that the petitioner has no criminal antecedents thus, he prays for grant of regular bail to the petitioner.

4. Learned State counsel however, has opposed the submissions made by learned counsel for the petitioner. She submits that the petitioner along with co-accused in a well coordinated manner used to commit cyber offence. She further submits that the money obtained through fake calls was siphoned off from the victims' account and transferred into the account of co-accused, namely, Ajij, however, he is yet to be arrested. She, on instructions, submits that in all there are 16 prosecution witnesses out of

which 08 witnesses still remain to be examined. She submits that there are total 03 accused in the present case, out of which, one is juvenile, who is on bail, whereas, third accused is yet to be arrested. She has placed on record the custody certificate of the petitioner.

5. After hearing counsel for the parties and perusing the record, it is deciphered that the petitioner was arrested in the present case on the basis of secret information. The money transactions were made into the account of co-accused namely, Ajij, however, he has not yet been arrested. Custody certificate filed by the State shows that the petitioner has undergone actual sentence of 01 year, 04 months and 29 days as on 20.02.2026. It further reflects that there is no other case against the petitioner. As submitted by the State, out of 16 prosecution witnesses, 08 witnesses still remain to be examined.

6. The veracity of the allegations would be assessed only after conclusion of the trial and on the appreciation of evidence to be led by both the parties before the trial Court. The trial of the case will take sufficiently long time. Thus, keeping in view the overall facts and circumstances of the case, this Court is of the opinion that learned counsel for the petitioner succeeds in making out a case for grant of regular bail. Accordingly, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate. Nothing said herein shall be treated as an expression of opinion on the merits of the case.

23.02.2026
m.sharma

(RAJESH BHARDWAJ)
JUDGE

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