



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

129

CRM-M-42208-2025

SURAJ CHOUDHARY

.....Petitioner

Versus

STATE OF HARYANA

.....Respondent

CRM-M-43009-2025

HEMRAJ JAT

.....Petitioner

Versus

STATE OF HARYANA

.....Respondent

Decided on : 18.03.2026

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Gaurav Arora, Advocate, and
Mr. Yashpal Thakur, Advocate
for the petitioner (in CRM-M-42208-2025), and
Mr. J.P. Sharma, Advocate,
for the petitioner (in CRM-M-43009-2025).

Mr. Kanwar Sanjiv Kumar, AAG, Haryana,
assisted by PSI Deepak.

SANJAY VASHISTH, J.

1. By this common order, both the aforementioned petitions,
i.e. CRM-M-42208-2025 and CRM-M-43009-2025 shall stand disposed
of.
2. Petition, i.e. CRM-M-42208-2025 is filed by the petitioner –
Suraj Choudhary, seeking grant of regular bail, in case, FIR No.10, dated
25.03.2025, under Section 318(4) of BNS, sections 61, 238(c) of BNS



added later on, registered at Police Station Cyber Mahendargarh, District Mahendargarh.

Petition, i.e. CRM-M-43009-2025 is filed by the petitioner – Hemraj Jat, seeking grant of regular bail, in case, FIR No.10, dated 25.03.2025, under Section 318(4), 238, 61(2) of BNS, registered at Police Station Cyber Mahendargarh, District Mahendargarh.

2. Complainant – Shubham got registered the present FIR alleging therein that:-

“He received a message on his Whatsapp ID for a task, who asked him to give a five-star rating to the hotel on Google Maps and send a screen Shot to Telegram Id- https://t.me/Janvi_1998 and I gave a five-star rating to the hotel on Google Maps and sent the Screen Shot to the said Telegram id and they transferred a total of Rs. 300/- on 07.03.2025 to my HDFC bank account number 50100446427877 for rating a Screen Shot 6 times at the rate of Rs. 50/- per rating. After that, after giving Hotel Review Rating 7 times, when they asked me to give Hotel Review Rating for the 8th time, they made me deposit Rs. 1,000/- and after profit, transferred Rs. 1,420/- and Rs. 900/- to my HDFC bank account number 50100446427877. Then after that on 08.03.2025, they demanded Rs. 3,000/- from me without doing any task and I transferred Rs. 3,000/- from my HDFC bank account number 50100446427877 as per their instructions. After that, they demanded Rs. 500/- from me, I transferred it and then they transferred Rs. 4,550/- to my said HDFC bank account. In this way, I started trusting them. After that on 22.03.2025, they demanded Rs. 5,000/- and I transferred Rs. 5,000/- from my said HDFC bank account as per their instructions and when I asked them to give me a profit of Rs. 5,000/-, they asked me to transfer Rs. 30,000/- more and give me Rs. 42,000/- along with the profit. After I transferred Rs. 30,000/- from my said HDFC bank account as per their instructions, I asked them to transfer Rs. 42,000/- along with the profit to my bank account, then they demanded Rs. 95,000/- from me and in this way, from 07.03.2025 to 24.03.2025, unknown persons, by deceiving me to return the entire



amount including the profit, transferred a total of Rs. 5,30,000/- from my bank account, my friends Bhupendra Yadav, Shiva Maggu, Chandini Singh, Richa Pandey and Pratik Pal Singh to different bank accounts.”

4. Learned counsel for the petitioner-Suraj Choudhary (in CRM-M-42208-2025), submits that:-

- (i) out of the total amount allegedly cheated from the complainant, not a single penny was transferred into the account of the petitioner.
- (ii) There exists no telephonic conversation, text message, or any form of communication between the petitioner and the complainant, indicating that petitioner had no involvement in the alleged fraud.
- (iii) Only a mobile phone, along with two SIM cards, was recovered from the petitioner. However, there is no record of calls, messages, or WhatsApp communication from these SIM cards to the complainant.
- (iv) Only allegation against the petitioner is that he allegedly obtained the bank account details and other documents of Hemraj (petitioner in CRM-M-43009-2025) and handed them over to one Vikas Khichad, for which Hemraj was allegedly paid Rs. 10,000/-.
- (v) Apart from the disclosure statement of Hemraj, there is no evidence to substantiate this allegation—no phone call, chat, or bank transaction connecting the petitioner-Suraj Choudhary, to Hemraj in this regard.
- (vi) Suraj Choudhary is implicated in the present case solely on the basis of the disclosure statement of Hemraj, wherein it was alleged that Suraj Choudhary had used Hemraj's account in which Rs.95,000/- was credited by means of fraud.



5. Learned counsel for the petitioner-Hemraj Jat (in CRM-M-43009-2025), submits that:-

- (i) Hemraj is in custody since 05.04.2025, and has been falsely implicated in the present case.
- (ii) As per the case of prosecution, an amount of Rs.95,000/- was deposited into the petitioner’s bank account by means of fraud.
- (iii) Investigation in the present case has been completed, and *challan* has already been filed. Out of total 10 prosecution witnesses, none has been examined till date. Conclusion of the trial is likely to take considerable time; therefore, no useful purpose would be served by keeping the petitioner in custody for an indefinite period.
- (iv) In the event of grant of bail, petitioner undertakes to appear before the Court on all scheduled dates and abide by all terms and conditions imposed by this Court while granting bail.

6. Details of both the petitioners – Suraj Choudhary and Hemraj Jat, as mentioned in the status report dated 17.09.2025, is as follows:-

Sr. No.	Name of the accused	Date of arrest	Recovery, if any	By name, by disclosure statement	On bail/in custody
1.	Hemraj Jat	05.04.2025	Two mobile and three SIM cards	Holder of account No.8307629 7994	In custody
2.	Suraj Choudhary	05.04.2025	One mobile, one sim card, 3 ATM cards, 3 bank passbook and one cheque book	Name of the accused has surfaced in disclosure statement of co-accused Hemraj Jat	In custody



7. On asking by the Court, learned counsel for the petitioner – Hemraj Jat submit that, for the purpose of consideration of his prayer for bail, petitioner is willing to deposit the alleged amount of Rs.95,000/- credited in his bank account, in the form of Fixed Deposit Receipt(s), issued by a nationalised bank, before the trial Court.

8. On the other hand, learned State Counsel, while opposing the prayer and submissions made by the learned counsel for the petitioners, submits that the offences in question are of serious nature and are increasingly prevalent in society. Thus, petitioners do not deserve any leniency with regard to their release on bail.

9. This Court has heard the submissions addressed by counsel for the parties and has also gone through the record available before it.

10. With the prevailing circumstances, bank account holders are seriously developing a sense of insecurity regarding their hard-earned money deposited in the banks. The emerging trend of cybercrimes, as reflected in the present case, requires strict scrutiny and the application of strong deterrent principles.

11. It is particularly necessary to adopt such an approach because there exists no immediate statutory mechanism to provide prompt relief to an account holder who urgently requires the amount deposited in his bank account after being defrauded. Therefore, this Court is of the considered view that the amount which is undisputedly found to have been deposited/credited/transferred into the bank account of the accused seeking bail should either be refunded to the complainant-victim



or, at the very least, deposited before the Court in the form of an FDR along with accrued interest, so that the grievance of the complainant is redressed without undue delay.

12. This Court expresses this concern especially for the reason that the defrauded amount may never be recovered by the complainant, and the conclusion of the criminal trial/case may take several years, or even a decade. Even in the event of conviction, it may not provide real or immediate relief to the victim.

13. In the interest of protecting citizens and securing the safety of funds deposited in banks, funds which are often misused when account holders share their details with individuals involved in cybercrime, this Court is of the view that a stringent approach is warranted.

14. In view of totality of circumstances, and the submissions addressed by counsel for the petitioners and other factors noticed here above, including the fact that petitioner – Hemraj Jat is ready to deposit the alleged amount of Rs.95,000/- credited in his bank account, in the form of Fixed Deposit Receipt(s), this Court deems it appropriate to grant the concession of bail to the petitioners in the present case.

Consequently, prayer made in the present petitions, i.e. CRM-M-42208-2025 and CRM-M-43009-2025 is allowed. Petitioners namely Suraj Choudhary and Hemraj Jat are ordered to be released on bail, subject to their furnishing bail/surety bonds to the satisfaction of the learned trial Court/ Chief Judicial Magistrate/ Illaqa Magistrate/ Duty Magistrate concerned, if not required in any other case.



However, grant of regular bail to the petitioner – Hemraj Jat shall be subject to deposit of an amount of Rs.95,000/-, in the form of FDR(s) issued by a nationalised bank, before the trial Court/Court concerned. It will be the sole responsibility of the accused/petitioner – Hemraj Jat so released on bail, to get the FDR renewed from time to time, and realization of the FDR(s) would be subject to the final outcome of the case.

15. Needless to observe that the both the petitioners shall not extend any threat and shall not influence any prosecution witness in any manner directly or indirectly.

16. Any of the discussion done and recorded here above, shall not be construed as an expression of opinion on the facts of the case. Therefore, trial Court is expected to decide the case by taking an independent view, on the basis of evidence available on record, as expeditiously as possible, in accordance with law.

17. Both the present petitions stand disposed of.

18. A photocopy of this order be placed on the file of other connected case.

(SANJAY VASHISTH)
JUDGE

18.03.2026
Lavisha

Whether Speaking/Reasoned: YES/NO
Whether Reportable: YES/NO