IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA AT CHANDIGARH

2026:PHHC:043615

CRM-M-42949-2025 (O&M)

Jasvinder **...Petitioner**

Versus

State of Haryana **...Respondent**

Sr. No.	Particulars	Details
1	The date when the judgment is reserved	17.03.2026
2	The date when the judgment is pronounced	20.03.2026
3	The date when the judgment is uploaded on the website	20.03.2026
4	Whether only operative part of the judgment is pronounced or full judgment is pronounced	Full
5	The delay, if any, of the pronouncement of full judgment, and reasons thereof	Not applicable

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present:- Mr. Manvinder Singh Dalal, Advocate and
Mr. Himanshu Kashyap, Advocate
for the petitioner.

Ms. Himani Arora, DAG, Haryana.

Mr. Vikram Singh, Advocate
for the complainant.

MANISHA BATRA, J.

1. The instant one is the second petition, filed by the petitioner under Section 483 of BNSS, 2023, for grant of regular bail to him in case arising out of FIR No.38 dated 31.01.2025, registered under Sections 308(2), 318(4), 319, 336(3), 338, 340, 241, 61(2) and 3(5) of BNS, 2023 and Sections 66C, 66D of the Information Technology Act, 2000 at Police Station Cyber

Crime, West Gurugram, District Gurugram. His previous petition was dismissed as withdrawn.

2. The aforementioned FIR was registered on the basis of complaint lodged by complainant Dr. Anita, a retired Principal alleging that on the evening of 03.01.2025, she had received a call on her cell phone. The caller told her that several complaints were registered against her for violation of illegal advertisements and sending harassing messages and an FIR was registered against her. She was also informed that three cell phone numbers, which she was using, would be blocked within short time. She also started receiving video calls from different numbers on her WhatsApp and the callers told her that a bank account had been opened by her in favour of a person, who was accused of money laundering and committing frauds and she would be sent to jail for 14 years. She was forbidden from disclosing these facts to her family members under the threat that they would also be put to jail and their bank accounts would be frozen and that they would be mentally and physically tortured. She was forced to transfer a total amount of Rs.3,03,00,000/- from her bank accounts to different bank accounts, the numbers of which were disclosed by the callers. She was kept under digital arrest till the transfer of the above said amount and was not even made to leave her room. She was made scared of her life. Last video call was made to her on 31.01.2025, whereby threats were again extended to her.

3. During the course of investigation, it was found that an amount of Rs.62,00,000/- was transferred from the account of the complainant in the account of one M/s Param Enterprise and an amount of Rs.9,95,041/- was transferred in an account managed by co-accused Yogesh Sharma. He was arrested on 03.02.2025. He suffered disclosure statement to the effect that it

was on the asking of co-accused Rahul that he had given his bank account details to him and then as per instructions of co-accused Rahul, he had withdrawn an amount of Rs.9,90,000/- through cheque and had handed over the same to the said Rahul after keeping commission of Rs.5000/-. Co-accused Rahul was nominated as such and was subsequently arrested.

4. During the course of further investigation, accused Prince Jast was arrested. He suffered disclosure statement to the effect that on the asking of the present petitioner, who was an employee of Kotak Mahindra Bank, Ladwa Branch, he had given details of his bank account and handed over his cheque book etc. to the petitioner for the purpose of transfer of money received through online fraudulent transactions, on the basis of commission. He further disclosed that the petitioner had advised him that whenever he would receive a confirmation call regarding clearance of a cheque issued by him, he would be required to give a nod. He also disclosed that on 08.01.2025, the petitioner had told him that two cheques for sums of Rs.5,00,000/- each were to be cleared from his bank account on that day, out of which, one cheque would be cleared by co-accused Naman Kumar from Shahabad Branch and one cheque would be cleared by accused Lucky from Ladwa Branch of Kotak Mahindra Bank. He disclosed that he had given his nod for clearance of those cheques on receipt of call from the bank and in lieu thereof received commission of Rs.20,000/-. In view of his disclosure, the petitioner and Naman Kumar were nominated as additional accused. The petitioner was arrested on 03.02.2025 and suffered disclosure statement admitting his involvement in the subject offences. Investigation now stands completed.

5. It is argued by learned counsel for the petitioner that he was not

named in the FIR and has been implicated in this case on the basis of disclosure statement allegedly suffered by co-accused Prince Jast, which cannot be considered to be admissible in evidence. He was simply an employee of the bank and was discharging his official duties. He has been in custody since 03.02.2025. Conclusion of trial is likely to take a considerable time. No useful purpose would be served by keeping him in custody anymore. He has clean antecedents. He had never met the complainant nor induced her in any manner whatsoever. The ingredients for commission of subject offences are not attracted at all qua him. There are no chances of his absconding. The trial will take considerable time to conclude. His further incarceration would not serve any useful purpose. It is, therefore, argued that he deserves to be released on bail.

6. *Per contra*, learned State counsel, assisted by learned counsel for the complainant, has argued that there are serious and specific allegations against the petitioner. He was working as a salesman in the aforementioned bank. He had played an active role in facilitating the commission of crime being a bank official. He had received part of proceeds of crime as his commission. He in connivance with the co-accused had duped the complainant of a huge amount of money. There are chances of his absconding, intimidating the witnesses or committing similar offences, if extended benefit of bail. It is, thus, urged that the petition does not deserve to be allowed.

7. This Court has heard the rival submissions.

8. The petitioner, along with the co-accused, is alleged to have hatched a criminal conspiracy to commit online fraud/cheating by inducing innocent persons to part with huge amounts of money. In pursuance thereof,

the co-accused, by extending threats and putting the complainant under fear, caused wrongful loss to the tune of Rs.3,03,00,000/- by compelling her to transfer the said amount into different bank accounts. The allegations on record disclose active and prima facie participation of the petitioner in the commission of the crime. Though not named in the FIR, he was nominated during the course of investigation on the basis of disclosure statements and other material collected by the investigating agency. He is specifically alleged to have participated in the conspiracy by presenting a cheque of Rs.5,00,000/- at the Shahabad Branch of Kotak Mahindra Bank, getting the same encashed and thereafter receiving commission as well as part of the proceeds of the fraudulent transactions. The role attributed to the petitioner indicates his involvement in the operational execution of a well-organized cyber fraud racket, wherein a retired lady was duped of a substantial amount by keeping her under so-called "digital arrest" and inducing her to transfer huge sums of money. The magnitude of the amount involved, the organized manner in which the offence has been carried out and role of the petitioner in facilitating withdrawal of the defrauded money, prima facie, reflect the seriousness of the allegations. It is also a matter of concern that such offences are on the rise and innocent members of the public are being increasingly targeted and deprived of their hard-earned money through sophisticated means. In such circumstances, the apprehension expressed by the prosecution that the petitioner may abscond or indulge in similar activities, if released on bail, cannot be said to be unfounded at this stage. Keeping in view the nature and gravity of the allegations, the role attributed to the petitioner, the quantum of amount involved and the severity of punishment which may follow upon conviction, this Court is of the considered opinion that no ground for grant of regular bail is made out, at this stage. Accordingly, the present petition is dismissed.

9. It is made clear that any observation made herein above is only for the purpose of deciding the present petition and the same shall have no bearing on the merits of the case.

20.03.2026 **(MANISHA BATRA)**
Waseem Ansari **JUDGE**

Whether speaking/reasoned *Yes/No*

Whether reportable *Yes/No*