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

107 **<u>CRM-M-44197-2025</u>**

Bobby Maine . . . Petitioner(s)

Versus

State of Punjab . . . Respondent(s)

107-2 **<u>CRM-M-52118-2025</u>**

Bablu Singh @ Babal Singh . . . Petitioner(s)

Versus

State of Punjab . . . Respondent(s)

<u>Decided on :27.02.2026</u>

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Gobind Singh Randhawa, Advocate for the petitioner.

Mr. Neeraj Madaan, Sr. DAG, Punjab.

<u>SANJAY VASHISTH, J. (Oral)</u>

1. By way of this common order, both the aforementioned petitions are being disposed of.

2. Petition i.e. CRM-M-44197-2025 has been filed by petitioner-Bobby Maine, seeking regular bail in case FIR No.28 dated 13.03.2025, under Sections 318(4), 316(5) of BNS (Sections 338, 336(3), 340(2), 61(2), 238 of BNS were added later on), registered at Police Station Kamboj, District Amritsar Rural.

2.1 Petition i.e. CRM-M-52118-2025 has been filed by petitioner-Bablu Singh @ Babal Singh, seeking regular bail in case FIR No. 28 dated 13.03.2025, under Sections 316(5), 318(4), 338, 336(3), 340(2), 61(2) of BNS, registered at Police Station Kamboj, District Amritsar Rural.

3. The total defrauded amount in the present case is Rs. 1.50 crores, pertaining to deposits made by 32 victims with HDFC Bank. Out of the said amount, Rs. 38 lakhs was found credited in the bank account of petitioner Bablu Singh @ Babbal Singh (in CRM-M-52118-2025), while an amount of Rs. 1.12 crores was credited in the bank account of petitioner-Bobby Maine.

4. Petitioner Bobby Maine was an official of the Bank and is alleged to have breached the trust reposed in him by the depositors. Petitioner-Bablu Singh @ Babbal Singh is stated to have connived with him, being his close associate. In the reply filed by the complainant–HDFC Bank, details of the siphoned amount all 32 depositors/victims have been specifically mentioned.

5. On a regular basis, this Court has been confronted with cases wherein innocent depositors have been defrauded by a new trend of crimes committed by cyber criminals. Realising the mental agony, helplessness, and suffering faced by such victims, this Court has already dealt with the issue in **CRM-M-71214-2025**,titled as ***'Sanjay @ Sanju Vs. State of Haryana***' decided on **17.02.2026**, and the observations recorded therein are reproduced hereunder.

> *"3. 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.*
>
> *4. 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.

5. 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.

Despite being given an opportunity to deposit/pay the amount of ₹75,000/- at the first instance, learned counsel for the petitioner submitted that the petitioner had merely permitted the use of his bank account for a limited purpose, for which he was paid ₹4,000/- and therefore he is not ready to deposit the complete amount of Rs.75,000/-, which even was credited in his bank account.

6. 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.

7. Since learned counsel for the petitioner has categorically refused to deposit the aforesaid amount, this Court does not find any special reason to extend discretionary relief to the petitioner at this stage, particularly while balancing the considerations of personal liberty with the larger societal interest. This view is supported by the judgment of the Hon'ble Apex Court in

> *‘**Serious Fraud Investigation Office v. Aditya Sarda**’, **2025 INSC 477** , wherein it has been reiterated that economic offences constitute a class apart and must be dealt with a stringent approach at the stage of bail. The Hon’ble Apex Court observed that grant of bail in serious financial fraud cases should be considered with greater caution, keeping in view the gravity of the offence, its impact on society, and the larger public interest.*
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> *In view of the above, present petition stands dismissed.”*

6. After noticing all the aforementioned facts, and being conscious of the gravity of the allegations as well as the pain and agony suffered by the depositors who have been deprived of their hard-earned money, this Court finds no merit in the present petitions. The magnitude of the fraud and the breach of trust involved do not warrant application of the principle of leniency at this stage. Accordingly, both petitions stand dismissed.

7. However, it is observed that in case the petitioners express their willingness to deposit the defrauded amount, either by way of Fixed Deposit Receipts (FDRs) to secure the interest of the victims or by directly refunding the amount to the respective depositors, they shall be at liberty to file fresh bail petitions, which shall be considered on their own merits in accordance with law.

8. A photocopy of this order be placed on the file of another connected case.

(SANJAY VASHISTH)
JUDGE

27.02.2026
Rashmi

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No