

CRM-M-48439-2025

2026:PHHC:007427



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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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Sukha Ram

....Petitioner

versus

State of U.T., Chandigarh

....Respondent

Date of decision: January 20, 2026

Date of Uploading: January 20, 2026

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present:- Mr. Pawan Attri, Advocate for the petitioner.

Mr. Manish Bansal, Public Prosecutor, U.T., Chandigarh with
Mr. Dixit Bhardwaj, Advocate for the respondent.

SUMEET GOEL, J. (ORAL)

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.107 dated 27.10.2024, for the offence punishable under Sections 319(2), 318(4), 338, 336(3), 340(2) and 61(2) of the BNS, 2023, registered at Police Station Cyber Crime, District Chandigarh.

2. The gravamen of allegations against the petitioner is that the complainant, namely, Ms. Pooja Verma, alleged that she was cheated of ₹27,000 through a fraudulent phone call and consequent bank transaction. During the course of investigation, it was revealed that the said amount was transferred to a bank account linked to a larger cyber fraud network. The petitioner voluntarily surrendered before the Court and was thereafter arrested on 28.03.2025. During interrogation, it was disclosed that the complainant was

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initially defrauded through a bank account belonging to the petitioner. It further emerged that the petitioner had handed over his bank account details, along with the ATM card and passbooks, to the co-accused persons for a monetary consideration, thereby facilitating the commission of cyber frauds, including OLX scams, investment frauds, and loan application traps.

3. Learned counsel for the petitioner has argued that the petitioner is in custody since 28.03.2025. Learned counsel has further argued that the petitioner has been falsely implicated into the FIR in question. Learned counsel has iterated that, in fact, it is the petitioner himself who has been duped as his bank account has been used as a mule account. Learned counsel has further iterated that, in any case, investigation *qua* FIR in question is complete and culmination of trial will take long time. Learned counsel has further iterated that the petitioner is a man with clean antecedents. Thus, regular bail is prayed for.

4. Learned counsel for the U.T., Chandigarh has vehemently opposed the present petition by arguing that the allegations raised against the petitioner are direct/ serious in nature and, thus, the petitioner does not deserve the concession of the regular bail. Learned counsel seeks to place on record custody certificate dated 07.12.2025, in the Court today, 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 28.03.2025 whereinafter investigation was carried out and the challan has been presented on 28.04.2025. It is not in dispute before this Court that total 16 prosecution witnesses have

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been cited, out of which, none has been examined till date. It is thus, indubitable, that conclusion of the trial will take long time. The rival contention raised at Bar 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 07.12.2025 filed by learned counsel for the U.T., Chandigarh, the petitioner has already suffered incarceration for a period of 08 months and 10 days, & is not shown to be involved in any other FIR(s).

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, if not required in any other case, 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

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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.

11. Pending application(s), if any, shall also stand disposed of.

(SUMEET GOEL)
JUDGE

January 20, 2026
mahavir

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No