2026:PHHC:040860

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

134 **CRM-M-56324-2025**
Date of decision: 16th March, 2026

Yogesh Sharma @ Nutan
...Petitioner

Versus

State of Haryana
...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Ravi Malik, Advocate for the petitioner.

Mr. Neeraj Poswal, Assistant Advocate General, Haryana.

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MANISHA BATRA, J (ORAL):-

The present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the petitioner seeking grant of regular bail in case bearing FIR No. 121 dated 31.12.2024 registered under Sections 419 and 420 of IPC at Police Station Cyber Crime, District Palwal.

2. The aforementioned FIR was registered on the basis of a complaint lodged by the complainant Sapna Jindal alleging that she had been duped of an amount of Rs. 25,00,000/- by some persons who had made calls to her and had told her that her insurance policy had lapsed. After registration of FIR, investigation proceedings were initiated. The complainant recorded a supplementary statement disclosing that her husband had obtained a policy from Bajaj Allianz Life Insurance, Faridabad. He had died in the year 2008. One policy agent had assured that he was conversant with the policies of her

husband and that he would help in receiving the amount of those policies. She had received a call on her phone on 29.05.2024 and on the pretext of release of policy amount, she was induced to transfer an amount of Rs. 98,500/-. She had been made to part with a sum of Rs. 1 crore ever since the year 2018 in this manner. The details of transactions from her bank account had been looked into by the Investigating Agency and mails were sent to her banker. It was revealed that an amount of Rs. 98,500/- was transferred from the bank account of the complainant to a particular bank account which was in the name of the present petitioner. Even one of the KYC linked mobile phone numbers was found to be in his name, whereas the another was in the name of accused Santosh Gupta. The petitioner was arrested on 13.06.2025. On interrogation, he suffered disclosure statement admitting his involvement in the crime and also that co-accused Saurabh, who was his friend, had allured him and got a bank account opened in his name in IDFC Bank. He had also provided the complainant with a Samsung mobile phone and linked mobile numbers with the said account. The petitioner used to receive OTPs on that number. On receipt of money in his bank account, accused Saurabh used to give a portion of the same to him and kept the remaining amount with himself. It was also revealed that money from the bank account of the complainant was transferred to different bank accounts. Investigation qua the petitioner now stands concluded.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. He was not named in the FIR. It was the co-

accused Saurabh who was the main culprit and who used to withdraw the amount of money from the account got opened in the name of the petitioner. The petitioner is not beneficiary of any transaction. He is in custody since long. No recovery is to be effected from him. Only an amount of RS. 98,500/- was transferred in his bank account. The subject offences are triable by Magistrate. His further incarceration would not serve any useful purpose. It is, thus, argued that the petition deserves to be allowed.

4. *Per contra*, learned State counsel has argued that the petitioner was actively involved in commission of offence of cheating the complainant, in connivance with the co-accused. An amount of Rs. 98,500/- from the bank account of the complainant was transferred in his bank account. That apart, an amount of approximately Rs. 10 lakhs has been transferred in his bank account by way of fraudulent transaction. The petitioner has not got effected recovery of any amount. The complainant was duped of a huge amount of money. The petitioner is one of the links in the trail of committing fraud upon the complainant. There are chances of his absconding or committing similar offences, if extended benefit of bail. Therefore, it is stressed that the petition does not deserve to be allowed.

5. This Court has heard learned counsel for the parties at considerable length.

6. The petitioner is alleged to have got opened a bank account in his name in the IDFC bank and this account had been used for credit/transfer of an amount of Rs. 98,500/- from the bank account of complainant. The

allegations *prima facie* make out a case for commission of offence of cheating as against the petitioner. The complainant is alleged to have been duped of a huge amount of money and a part of the amount was transferred in the bank account of the petitioner. The offence as committed by the petitioner cannot be stated to be an isolated act but in fact, the same clearly appears to be a part of an organized cyber-crime. Crimes of such like nature are steadily increasing and have a deep-rooted impact on society, since unsuspecting citizens are being targeted. Such offences are serious crimes affecting not only the victim but the financial system at large. In the considered opinion of this Court, strict approach in such like crimes should be adopted at the stage of grant of bail. keeping in view the gravity of the allegations, the manner in which the offences were committed, the part played by the petitioner and the attendant facts and circumstances of the case, this Court is of the considered opinion that the petitioner does not deserve to be released on bail, at this stage. Accordingly, the petition is dismissed.

7. It is made clear that the observations made hereinabove are only for the purpose of deciding the present petition and the same shall not be construed as an expression of opinion on the merits of the case.

8. Since the main petition has already been decided, pending application, if any, is rendered infructuous.

[MANISHA BATRA]
JUDGE

16th March, 2026

Parveen Sharma

1. Whether speaking/ reasoned	*:*	*Yes / No*
2. Whether reportable	*:*	*Yes / No*