

212

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

CRM-M No.55797 of 2025

Date of Decision: 13.02.2026

Rajiv Parihar**..... Petitioner**

Versus

State of Haryana**..... Respondent**

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Jaynish Saini, Advocate
for the petitioner.

Ms. Diya Sodhi, Senior DAG, Haryana.

RAJESH BHARDWAJ, J.

1. Petitioner has approached this Court by way of present second petition praying for granting him regular bail in case FIR No.37 dated 06.04.2025, under Sections 127(2), 308(2), 318(4), 336(3), 338, 340(2) and 61(2) of the BNS, 2023, registered at Police Station Cyber Crime, Ambala City, District Ambala.

2. Succinctly, facts of the case are that the FIR was registered on the statement of the complainant, namely, Rajinder Kumar Setia. It was alleged that on 29.03.2025, he received an unknown call from Mobile No.9434579347 on his mobile phone No.9996142627 and the caller told him that his ID on all mobile phone numbers shall be closed within two hours and an FIR has also been registered against him in Police Station Andheri East, Mumbai. Thereafter, he again received a call on his mobile phone and the caller told him that he is calling from

Andheri Police Station and name of the complainant was disclosed by accused, namely, Naresh Goel, who had allegedly committed a fraud of Rs.5,80,00,000/- and the complainant has also taken some amount. The complainant was further informed that a bank account had been opened in his name at Canara Bank, Mumbai and that the said account along with his identity details had been used for the commission of the offence. The caller also asserted that warrants had been issued against the complainant and sent forged documents to substantiate the aforesaid claim, directing him to report to the police station at Mumbai. Due to fear and intimidation and believing the representations to be true, the complainant transferred a sum of Rs.2,79,70,000/- to the account specified by the accused. Subsequently, upon realizing that he had been cheated, the complainant approached the police. On registration of the FIR, the investigation commenced. During the investigation, on the basis of disclosure statement of co-accused, petitioner has been arrayed as accused in the FIR and was arrested on 15.04.2025. Petitioner approached the Court of learned Additional Sessions Judge, Ambala praying for grant of regular bail. However, after hearing both the sides, the learned Court finding no merit in the same, dismissed the bail application filed by the petitioner vide order dated 20.08.2025. Thereafter, petitioner again approached this Court by way of filing CRM-M-35844-2025 however, the same was dismissed as withdrawn vide order dated 15.07.2025. Hence, the petitioner is before this Court by way of filing the present second petition praying for grant of regular bail.

3. It has been vehemently contended by counsel for the petitioner that petitioner has been falsely and frivolously implicated in this case. He has submitted that neither the petitioner is named in the FIR nor there is any overt act attributed to him. He submits that during the investigation, he has been roped in the present case only on the basis of disclosure statement of co-accused, which is not even an admissible evidence. To buttress his arguments, he has submitted that co-accused namely, Sanjay Meena and Rahul have been granted bail by this Court vide order dated 03.07.2025 passed in CRM-M-6914-2025. He thus, submits that in the overall facts and circumstances of the present case, the petitioner deserves to be granted bail.

4. *Per contra*, learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioner. She has submitted that the petitioner in connivance with other co-accused namely, Sharwan Kumar Patel and Bablu Kumar Jaiswal has committed offence of cheating and fraud with the complainant by duping an amount of Rs.2,79,70,000/- from the complainant under the pretext of digital arrest and has not returned the money back to the complainant. She further submits that the petitioner has committed a grave and serious offence of cheating and fraud with the complainant in connivance with other accused persons which affects the general public and society at large. She has produced the custody certificate of the petitioner. She, on instructions, submits that challan has been filed, charges have been framed and out of 33 prosecution witnesses, none has been examined till

date. She thus, submits that no case for the grant of regular bail to the petitioner is made out and the present petition deserves to be dismissed.

5. After hearing learned counsel for the parties and perusing the record, it is deciphered that the petitioner was not named in the FIR however, during investigation the complicity of the petitioner was established as he in connivance with other accused persons, duped the complainant for huge amount under the pretext of digital arrest. As submitted, challan has been presented, charges are framed and out of 33 prosecution witnesses, none has been examined till date.

6. Keeping in view the above said position, this Court does not find any ground to release the petitioner on bail, at this stage. Nothing said herein shall be treated as an expression of opinion on the merits of the case.

13.02.2026

m.sharma

(RAJESH BHARDWAJ)

JUDGE

Whether speaking/reasoned

:

Yes/No

Whether reportable

:

Yes/No