



CRM-M-57217-2025

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

132-3

CRM-M-57217-2025
Decided on: 27.02.2026

Shankar LalPetitioner

Versus

U.T. ChandigarhRespondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Arjun Sheoran, Advocate for the petitioner.

Mr. Manish Bansal, P.P., U.T. Chandigarh.

Mr. Rampal Kaushik, Advocate alongwith complainant.

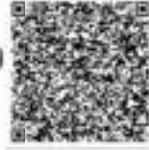
SANJAY VASHISTH, J.

1. Prayer in this petition, filed under Section 482 of the BNSS, 2023 (earlier Section 438 Cr.P.C.), is for grant of anticipatory bail to the petitioner, who has been booked in a criminal case arising out of First Information Report, as detailed hereunder:-

Name & age of Petitioner (s)	FIR No.	Date	Section(s)	Police Station	District
Shankar Lal	39	06.05.2024	419, 420, 456, 468, 471 and 120-B IPC	Cyber Crime	Chandigarh

2. On 13.10.2025, following order was passed:-

“ Prayer in this petition, filed under Section 482 of the BNSS, 2023 (earlier Section 438 Cr.P.C.), is for grant of anticipatory bail to the petitioners, who have been booked



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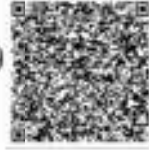
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in a criminal case arising out of First Information Report, as detailed hereunder:-

Name & age of Petitioner (s)	FIR No.	Date	Section(s)	Police Station	District
Shankar Lal, aged about 25 years	39	06.05.2024	419, 420, 456, 468, 471, 120-B IPC	Cyber Crime	Chandigarh

2. *Learned counsel for the petitioner submits that FIR was registered at the instance of complainant Vijayander Parsad, who alleged that he received a message on his mobile number 9877548795 from an unknown mobile number 8787482300, claiming to be from a stock investment firm. The message also contained a link, and upon clicking it, complainant was added to a group. Subsequently, he began receiving messages from multiple other mobile numbers, including 6009455717, 7005774732, 6009581733, and 1(515)346-0145. Complainant was given an AU Bank account number, 2301217352436530, into which he was periodically asked to deposit money. Believing the messages to be genuine, complainant deposited funds and ultimately suffered a financial loss amounting to Rs.4,83,000/-, upon realizing he had been duped.*

3. *Learned counsel for the petitioner contends that there is not even an iota of evidence against the petitioner, nor any specific role has been attributed to him in the FIR, which was lodged over a year ago. It is submitted that petitioner has no criminal antecedents, and even after arrest of the co-accused persons who are currently behind bars, no incriminating material has surfaced against the petitioner. His name has only been disclosed through the statement of a co-accused, which, as per settled law, does not constitute substantive evidence.*



4. *It is further argued that during investigation, an amount of Rs.1.82 lakhs was found deposited in the account of co-accused Vimal Kumar, and Rs.2.5 lakhs in the account of co-accused Nand Lal. However, no amount has been found deposited in any bank account belonging to the petitioner, nor he is a beneficiary in any manner from the alleged fraud.*

Additionally, counsel submits that petitioner has not been served with a notice under Section 41-A Cr.P.C. (now Section 35(3) of the BNSS), thereby violating the mandatory provision of law, as laid down by the Hon'ble Supreme Court in Arnesh Kumar vs.State of Bihar and another,2014(3)RCR(Criminal)527.

5. *Lastly, it is submitted that petitioner is ready and willing to join the investigation and fully cooperate with the investigating agency, provided he is granted the protection of anticipatory bail. Thus, counsel prays for grant of concession of anticipatory bail to the petitioner in the present case.*

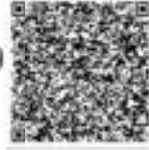
6. *Notice of motion.*

7. *On advance notice, Mr. Manish Bansal, PP, UT, Chandigarh, puts in appearance on behalf of the respondent – State, and submits that bail petitions, i.e. CRM-M-54157-2025 and CRM-M-53211-2025 filed by the co-accused namely Vimal and Raj Kumar @ Raju, respectively, have already been fixed for 20.11.2025.*

8. *Adjourned to 20.11.2025.*

To be heard along with CRM-M-54157-2025 and CRM-M53211-2025.

9. *Meanwhile, petitioner shall not be arrested. However, issue of joining of investigation by the petitioner would be examined on the next date of hearing, after reviewing the status report, which is yet to be filed by learned State counsel.”*



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3. Learned counsel for the petitioner contends that the alleged total duped amount in the present case is Rs. 4.82 lakh and same has been paid back to the complainant, therefore prays for grant of anticipatory bail.

4. Mr. Rampal Kaushik, learned counsel appearing on behalf of the complainant, along with the complainant present in Court, submits that the aforesaid amount has been duly received by the complainant and that no further amount remains outstanding.

5. I have heard learned counsel for the parties and perused the paper-book.

6. Since, the disputed amount has already been paid back to the complainant, this Court does not find any substantial reason to subject the petitioner to custodial interrogation at this stage. Accordingly, present petition is allowed. Order dated 13.10.2025 passed by this Court is hereby made absolute. Petitioner is directed to join the investigation within two weeks from today. In the event of his arrest, the petitioner shall be released on bail, subject to his furnishing bail bonds to the satisfaction of the Arresting Officer. The petitioner shall also abide by all the conditions laid down under Section 482(2) of BNSS, 2023.

However, petitioner shall continue to join the investigation as and when required to do so and abide by all the terms and conditions laid down under Section 482(2) of BNSS, 2023.

Besides, it is directed that petitioner would hand over his passport to the Investigating Agency or to Court concerned, if he

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possesses. Otherwise, would submit an affidavit, disclosing the fact that he does not possess any passport.

It is also directed that before leaving country any time during trial, petitioner would seek prior permission of the Court.

7. Accordingly, petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

27.02.2026

Rashmi

Whether Speaking/Reasoned: **YES/NO**
Whether Reportable: **YES/NO**