IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

(125)

CRM-M-58653-2025 (O & M)
Date of decision:30.03.2026

Akbar Ali …... Petitioner

V/s

State of Punjab ...Respondent

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Ms. Gunjan Nanata, Advocate,
for Mr. Gurpreet Singh, Sr. Advocate,
for the petitioner.

Mr. M.S. Toor, AAG, Punjab.

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<u>JASJIT SINGH BEDI, J. (Oral)</u>

The prayer in the present petition under Section 483 BNSS, 2023 is for the grant of the regular bail to the petitioner in FIR No.05 dated 10.04.2025 under Sections 318(4), 316(2), 61(2) of BNS registered at Police Station Cyber Crime, District Fatehgarh Sahib.

2. The present FIR came to be registered at the instance of Harpal Singh and reads as under:-

Copy of statement, "Statement of Harpal Singh son of Harjinder Singh resident of village Lohari Kalan, Police Station Bassi Pathana, District Fatehgarh Sahib, age about 68 years, mobile number 97794-99363, stated that I am a resident of the above address and I do farming work and I am an old person. My HDFC Bank, Branch Bassi Pathana has account number 08001930000550. This bank account has been running since the year 2008, in which my transactions take place.

On date 05-04-2025 at about 09:00 AM when I was at home, at that time I received a call on my mobile number 97794-99363 *from mobile number +60840844876, from an unknown person. He told me that your phone will be permanently blocked after 2 hours. When I asked the unknown person why you want to block my phone, then he told me that at Police Station Colaba, Mumbai, an FIR has been registered against you, and from your phone I such illegal activities are being carried out. Then I told him that have not done any activities, and he told me that in the FIR registered against you, you are to be arrested and your bail also has to be done. If you want all the documents of this FIR, then you talk to our officer.*

I talked to the officer, then he told me, you cut the phone, I will call you from my phone. Then I got a call on WhatsApp from mobile number 73005-38862, who told me that you are an old person, we do not want you to be arrested. Therefore we present you online before the Judge Sahib Ji, then they presented me before the Judge, and Judge Sahib said that your bail is rejected, the order of which I send to you, and after some time on WhatsApp call, the unknown person told me that you transfer all your money into account number 092505501549 ICICI Bank, whose IFSC code is ICIC0000925, then your bail will happen.

Then I got very much frightened and by coming under the words of these unknown person/persons, as per their saying, at about 02:30 PM I reached HDFC Bank Branch Bassi Fathana and transferred 30 lakh rupees by RTGS into the said account. After that, on date 07-04-2025, I came to know that fraud has been done with me. Therefore, in this regard, I gave a complaint at 1930, whose Acknowledgement No. is 22504250006890. These said unknown persons, by conspiring with each other, have cheated me of 30 lakh rupees and committed criminal breach of trust. It is requested that proper legal action be taken against these unknown person/persons and justice be provided to me.

You met me at the main gate of the office of D.P.O. Fatehgarh Sahib and I gave my statement to you in writing, which I have read and found correct. Signed/ Harpal Singh.

3. After the registration of the FIR, the investigation was set into motion. During the investigation, it was found that the above-mentioned ICICI Bank account bearing no. 092505501549, in which Rs.30,00,000/- were transferred by the complainant Harpal Singh, was found to be operated in the name of Jawed Alam. The KYC and account details of the said account were duly obtained. It was found that the said amount of Rs.30,00,000/- was further distributed through various inter-bank transactions on the same day. As per the banking records. Rs.9,00,000/- were transferred by Jawed Alam to account no.853910110015643 of Bank of India in the name of Akbar Ali (present petitioner) son of Sulaiman, resident of Palanthodi House. Kidangazhi, Karuvambram, P.O. 676123 Narukara, Village Manjeri Kalan, Malappuram, Kerala-676121, and another amount of Rs.3,93,570- was transferred to Bandhan Bank account no.20200091174389 in the name of Maninder Singh son of Sukhdev Singh, resident of House No. 28-A, Khasra No.17/7/8, Block C/A, Chander Vihar, Nilothi Extension, West Delhi, Police Station Nihal Vihar. It was found that the petitioner acting on the directions of Rishad Melakkam allowed his bank account to be misused for a commission of Rs.9,000/-.

4. The learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case. It is not believable that the complainant had deposited a sum of Rs.30 lacs in the account of a

Tent House Owner situated in Bihar i.e. Jawed Alam unless there were previous transactions between them. Jawed Alam has transferred Rs.9 lacs into the account of the petitioner. Therefore, the petitioner cannot be affixed with any liability qua the complainant. As he is in custody since 21.07.2025 but none of the 05 prosecution witnesses has been examined so far, the Trial of the present case is not likely to be concluded anytime soon and therefore, he is entitled to the concession of bail.

5. The learned counsel for the State, on the other hand, while referring to the status report dated 15.12.2025 which is on record, contends that during the course of the investigation, it transpired that Rs.30 lacs has been transferred in the account of Jawed Alam. A sum of Rs.09 lacs was transferred into the account of the petitioner. Therefore, the culpability of the petitioner is *prima facie* established. The names of other accused have also cropped up during the course of the investigation. The offences like the present one are cyber frauds and must be dealt with harshly. Therefore, the petitioner is not entitled to the concession of bail. He, however, concedes that the petitioner is in custody since 21.07.2025 and that none of the 05 prosecution witnesses has been examined so far.

6. I have heard the learned counsel for the parties.

7. As per the case of the prosecution, Rs.30 lacs were deposited by the complainant in the account of Jawed Alam under a threat of an FIR having been registered against him in Mumbai. A sum of Rs.09 lacs has been transferred by Jawed Alam into the account of the petitioner. There is absolutely no explanation coming forth as to why the petitioner received the

said sum in his account. Apparently, the petitioner permitted the usage of his account for a commission. Cyber frauds of this kind are on the rise and must be dealt with sternly. Some of the accused are still absconding. There is every possibility that the petitioner would also abscond from justice and tamper with the evidence in case he is granted the concession of bail.

8. In view of the above, I find no merit in the present petition seeking the grant of bail and the same stands dismissed.

9. The pending application(s), if any, shall stand disposed of accordingly.

March 30, 2026 **(JASJIT SINGH BEDI)**
sukhpreet **JUDGE**

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No