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

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**CRM-M No.59629 of 2025
Date of Decision: 06.03.2026**

Mohd. Javed

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Harshit Singh, Advocate and
Mr. Hari Ram, Advocate,
for the petitioner.

Ms. Ruchika Sabherwal, Sr. DAG, Punjab,
for the respondent-State.

MANISHA BATRA, J. (Oral)

1. The instant petition has been filed by the petitioner under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (For short “BNSS”) seeking benefit of regular bail in case arising out of FIR No.23, dated 06.06.2025, registered under Sections 61(2), 318(4) and 319(2) of the Bharatiya Nyaya Sanhita, 2023 (For short “BNS”), at Police Station Cyber Crime Police Station, Patiala, District Patiala.

2. The aforementioned FIR was registered on the basis of statement recorded by complainant – Manjit Singh, alleging that he along with his son Amainbir Singh was made a victim of cyber crime by being induced through social media account on WhatsApp to invest his money

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and to gain handsome profits. He and his son had deposited an amount of Rs.88,00,051/- through different transactions that took place during the period from 05.05.2025 till 28.05.2025. Their money was transferred in different bank accounts and when he asked for return of the same, he was told to invest more money. Realizing that he had been cheated, complainant prayed for taking action in the matter.

3. After registration of FIR, investigation proceedings were initiated. It was revealed during the course of investigation that the money from the bank account of the complainant was got transferred in 11 different bank accounts provided by the fraudsters. An amount of Rs.30 lakhs was deposited in a particular bank account bearing No.610000000052819 of Saraswat Co. Bank operated in the name of one SS Enterprises owned by Amita Ajay Kumar Mishra and the mobile phone registered with the said bank account was found to be issued in the name of accused Ajay Kumar Mishra. He was arrested on 19.06.2025. It was further revealed that an amount of Rs.10 lakhs was transferred from the bank account of account operated in the name of Amita Ajay Kumar Mishra to the Layer-2 Beneficiary Bank Account No.923020061651287 of Axis Bank which was registered in the name of M/s Saathi Collection name of whose proprietor was mentioned as Mohd. Javed Ansari i.e. the present petitioner. The petitioner was accordingly nominated as additional accused and was arrested on 27.06.2025. Some other accused were also arrested. Investigation qua him now stands concluded.

4. It is argued by learned counsel for the petitioner that he has

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been falsely implicated in this case. There is no allegation that he had induced, allured or communicated with the victim at any point of time. He was neither named in the FIR nor his name figures as a direct recipient of any fund from the complainant. He is infact a poor and illiterate fabric cutter who has been earning his livelihood by working in the shop of one Sameer tailor at Garib Nagar, Bandra East, Mumbai. It is the abovesaid Sameer who had induced him to open a bank account and obtained a mobile sim card in his name with the assurance that this will help him in improving his credit score and availing loans. All documents, sim card and bank account passbook remained in exclusive possession of the accused Sameer who had been operating the same as the petitioner being an uneducated person has no knowledge about use of these facilities. He himself is a victim of fraud. He has been in custody since 27.06.2025. He is not required for further investigation. No recovery is to be effected from him. No useful purpose would be served by detaining him in custody any more. His antecedents are also clean. It is, therefore, argued that he deserves to be released on bail.

5. Status report and custody certificate have been filed. Learned Senior Deputy Advocate General, Punjab has vehemently argued that the allegations against the petitioner are serious in nature. He was not merely a mere name lender or innocent account holder but was an active and conscious participant in the organized cyber fraud racket. An amount of Rs.10 lakhs being part of the cheated amount has been deposited in the name of his proprietary concern. This transaction forms part of the deliberate

“Layering” mechanism adopted by the petitioner and the co-accused to

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disguise and siphon off the proceeds of the crime. The petitioner knowingly allowed his bank account to be used as a conduit for receiving and further transferring defrauded funds and thereby facilitating concealment of the money trail. The magnitude of the fraud, structured interstate banking transaction and the systematic movement of the funds clearly reflect prior meeting of mind and criminal conspiracy. His role is integral, intentional and direct. There are chances of his committing similar offences or absconding, if extended benefit of bail. It is, therefore, argued that the petition does not deserve to be allowed.

6. This Court has considered the rival submissions.

7. The petitioner is alleged to have joined the cyber fraudsters who induced the complainant and his son to part with huge amount of money, by using his bank account as a mule account for the purpose of transfer of money received by way of fraud and further transferring to other persons involved in the crime. The allegations against him are specific and supported by the investigation. It has surfaced that a part of the cheated amount i.e. Rs.10 lakhs was transferred into the bank account of the firm of the petitioner which was obviously opened for the purpose of routing proceeds of crime. The fact that his phone number was also used for operating the abovesaid account, clearly indicates his active and conscious participation in the offence. The plea that he was not named in the FIR or that he was induced by his employer Sameer does not inspire any confidence at this stage particularly when his role is clearly emerged during investigation. The offence in question is not an isolated act but part of an organized cyber

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fraud, wherein providing banking channels forms a crucial link in execution of the crime. Cyber crimes are steadily increasing and have a deep-rooted impact on society, targeting unsuspecting citizens and eroding public confidence in digital platforms. Such offences are serious economic crimes, affecting not only the victim but the financial system at large and, therefore, require a strict approach at the stage 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.

8. 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.

06.03.2026
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(MANISHA BATRA)
JUDGE

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