



CRM-M-61340-2025 (O&M) -1-

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

114+235

**CRM-51364-2025 IN/AND
CRM-M-61340-2025 (O&M)
Decided on: 05.02.2026**

YATIN KUMAR**.....Petitioner****Versus****STATE OF HARYANA****.....Respondent****CORAM: HON'BLE MR. JUSTICE SUBHAS MEHLA**

Present: Mr. Rajat Sang, Advocate for the petitioner.

SUBHAS MEHLA, J. (Oral)**CRM-51364-2025**

Allowed as prayed for and Annexures A-1 & A-2 are taken
on record.

Main case

1. The present petition has been filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 seeking grant of regular bail in case bearing FIR No.145 dated 27.05.2025 under Sections 318(4), 319(2), 61(2) of BNS and Section 66(D) of the Information Technology Act, 2000, registered at Police Station Cyber Crime South, Gurugram.

2. Brief facts of the case are that the complainant namely, Shazia Jamal made a complaint regarding cyber and financial fraud



CRM-M-61340-2025 (O&M) -2-

between 09.05.2025 and 22.05.2025 resulting in a total loss of Rs.20,50,000/- as she was allured into a false IP investment program operated through a fraudulent app branded as "SC Elite". It is alleged that the petitioner is the Director of the company namely Selective Brains Speziel Private Limited and the petitioner has received Rs.2 lakh in his account.

3. Learned counsel for the petitioner contended that the matter has been compromised with the complainant and an affidavit to this effect has been placed on record (Annexure A-3); one of the co-accused namely Chirag has been granted the concession of regular bail by Coordinate Bench of this Court vide order dated 05.12.2025 passed in CRM-M-67242-2025 (Annexure A-1) whereas co-accused namely, Ashish Kumar has been granted the concession of regular bail by the Court of learned Additional Sessions Judge, Gurugram vide order dated 12.12.2025 (Annexure A-2) and the present petitioner is on similar footing in the present case; investigation in the present case is complete; the petitioner is stated to have been in custody since 23.07.2025 and as such, prays for concession of regular bail.

4. Notice of motion.

5. Mr. Ramender Singh Chauhan, AAG, Haryana, who is present in Court, accepts notice on behalf of respondent-State, and by way of filing of custody certificate dated 04.02.2026, opposed the concession of regular bail to the petitioner and submits that Rs.2 lakh has



come in account of Company of the petitioner and such transfer was required to be brought to the notice of Bank Authorities and the petitioner is involved in 02 more cases. He, however, fairly admits that the investigation in the present case is complete and the petitioner has been in custody for a period of 06 months and 04 days.

6. Heard.

7. Keeping in view the fact that compromise has been effected between the parties as the disputed amount has been paid to the complainant; co-accused have already been granted the concession of regular bail by Coordinate Bench of this Court vide order dated 05.12.2025 passed in CRM-M-67242-2025 (Annexure A-1) whereas co-accused namely, Ashish Kumar has been granted the concession of regular bail vide order dated 12.12.2025 passed by the Court of learned Additional Sessions Judge, Gurugram (Annexure A-2) and the present petitioner is on similar footing; the investigation of the present case is complete and the petitioner has been in custody for the last 06 months & 04 days; trial will take sufficient time to conclude and no fruitful purpose would be served by keeping him in custody for any further period, as concession of bail cannot be denied just as a measure of punishment as culpability is to be decided by trial Court after appreciating evidence adduced by the parties, and it is a trite principle of criminal jurisprudence that bail is rule, jail is an exception, this Court deems it a fit case to grant the concession of regular bail to the petitioner.



7. Therefore, without expressing any opinion on the merits of the case, the instant petition is **allowed**. The petitioner is ordered to be released on regular bail on his furnishing requisite bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate concerned.

8. Nothing observed herein shall be construed as an opinion on the merits of the main case.

(SUBHAS MEHLA)
JUDGE

05.02.2026

Sonia Puri

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