

In the High Court of Punjab and Haryana, at Chandigarh**Criminal Misc. No. M-62565 of 2025 (O&M)****Date of Decision: 16.02.2026**

Akash Gometi alias Akash Gameti

... Petitioner(s)

Versus

State of Haryana

... Respondent(s)

CORAM: Hon'ble Mr. Justice Surya Partap Singh.Present: Mr. Devender Arya, Advocate
for the petitioner(s).Ms. Deepali Verma, Assistant Advocate General,
Haryana, for the respondent.**Surya Partap Singh, J.****CRM-2129-2026**

1. This is an application seeking for placing on record certain documents. For the reasons stated in the application, the same is hereby allowed and the documents (Annexures P4 & P5) annexed with the application are taken on record.

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2. This petition under Section(s) 483 Bharatiya Nagarik Suraksha Sanhita, 2023, hereinafter being referred to as “BNSS” only, has been moved for grant of bail with regard to a case arising out of FIR No. 03 dated 30.01.2025, for the commission of offence punishable under Section(s) 406, 420 and 120-B of the Indian Penal Code, 1860 Police Station Narnaul, District Mahendergarh, Haryana.

3. The FIR of this case came into being on the complaint submitted by 'Rajendra Prasad', hereinafter being referred to as "complainant" only, on 30.01.2024. It was stated by the above named complainant that he was joined in a WhatsApp group in the name of 'Analog Digital Promotion H981', and that one person, namely 'Neha' vide mobile number '9574648910, Admin of the group, posed herself as Manager in 'Analog and Digital Labs India Private Limited'. According to complainant, the above named Admin invited the complainant to complete the task of google review, likes, follow and comments on various hotels and earn ₹1,000/- to ₹3,000/- per day. According to complainant, he completed the task and a sum of ₹150/- was credited through UPI in his bank account being maintained with the Bank of Baroda.

4. It was further stated by the above named complainant that later on he was joined in another group on 'Telegram App' having its name as '00041-RW-Google Global Working Group'. According to complainant through this group also various tasks were assigned to him with regard to investment on commission basis in the name of 'Merchant Benefit Missions'. The complainant further alleged that he completed the task worth ₹5,000/- and received ₹6,800/- on completion. It was further stated by the complainant that thereafter he received a link 'URL-<https://globalindia-21y-d8c.pages.dev/>' on which user ID and password was created by the complainant and he performed different tasks and deposited ₹35,91,432/- in the bank account No. '079201504192' in ICICI Bank. As per complainant when he went to draw the above mentioned amount he could not do so and that he received a message on his 'Telegram App' to deposit some money.

According to complainant, for withdrawal of his money he paid another amount but nothing was ever paid to him and thus, he has been duped.

5. It is the case of prosecution that in view of above mentioned statement, the formal FIR of this case was lodged and the investigation taken up.

6. Heard.

7. It has been contended on behalf of petitioner that the petitioner is innocent who has nothing to do with the cheating, whatsoever, of which the complainant is victim. According to learned counsel for the petitioner in fact the kingpin of cyber-crime involved in the present case is a person known as 'Kaushal', and that with regard to his involvement in the commission of crime, the above named accused has been prosecuted by Rajasthan Police also and in that regard the news was published in the newspaper.

8. According to learned counsel for the petitioner in fact petitioner himself is the victim of crime as he was made a tool to approach the complainant, and that the entire money received from the complainant has already been got transferred in dubious accounts by the name of 'Kaushal'. While claiming that the petitioner is not the beneficiary of the above-mentioned fraud, the learned counsel for the petitioner has further contended that otherwise also the offence is triable by the court of Judicial Magistrate, and that the trial is not likely to be concluded in near future.

9. In addition to above, the learned counsel for the petitioner has also contended that the wife of petitioner is in advance stage of pregnancy, and that in order to help and support his wife, the physical presence of the

petitioner is required. While claiming that the trial is not likely to be concluded in near future, and that the constitutional rights of personal life and liberty are being violated, the learned counsel for the petitioner has sought for the benefit of bail for the petitioner.

10. While controverting the above mentioned arguments, the learned State counsel has argued that in the present case the plea of petitioner is altogether false that he has nothing to do with the commission of crime or that the sole responsibility of the above-mentioned offence lies with main accused 'Kaushal' only. As per learned State counsel in fact the complainant has been defrauded for more than ₹35,91,000/-, and that a part of the above-mentioned proceed of crime has landed into the account of petitioner. According to learned State counsel the petitioner has received a sum of ₹2,88,000/- in his account and thus, he cannot claim that he has no nexus with the commission of crime. The learned State counsel has contended that the petitioner was responsible for opening of accounts which were used for siphoning off the money.

11. In addition to above, the learned State counsel has also contended that the petitioner was one of the main tool and facilitated the commission of crime. According to learned State counsel, instant case is not the only case being faced by the petitioner as he is facing similar kind of prosecution/FIRs at different places with similar allegations. As per learned State counsel, if released on bail, there are chances that the petitioner will misuse the benefit of concession and tamper with the evidence.

12. The record has been perused carefully.

13. A perusal of the record shows that the total period of custody of

petitioner in the present case is barely six months and the above-mentioned period cannot be treated to be large enough to draw an inference that there is delay in trial. Thus, on the ground of long incarceration the petitioner is not entitled for the benefit of bail.

14. In the present case, it is also pertinent to mention here that the petitioner does not have clean antecedents and the investigation in the present case is still in progress. Thus, at this stage release of petitioner on bail may hamper the investigation.

15. In addition to above, the prominent role played by the petitioner in the commission of crime coupled with the seriousness of offence pertaining to the present case leads to a conclusion that at this stage, the petitioner is not entitled for the benefit of bail

16. As a sequel to above mentioned observations, it is hereby held that the petitioner is not entitled for the benefit of bail and the present petition filed by the petitioner, being devoid of merits, deserves dismissal. Hence, the present petition is hereby **dismissed**, accordingly.

17. It is, however, made clear that any observation made here-in-above is only for the purpose of deciding the present appeal and the same shall have no bearing on the merits of the case.

(Surya Partap Singh)
Judge

February 16, 2026
“DK”

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No