



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

208

CRM-M-62590-2025(O&M)

Date of decision: 18.02.2026

Aman Kumar and another

...Petitioners

VERSUS

State of Punjab

...Respondent

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present :- Ms. Ritu Manohar, Advocate (through V.C.),
for the petitioners.

Mr. Mohit Kapoor, Sr.DAG, Punjab.

VINOD S. BHARDWAJ, J. (Oral)

The present first petition has been filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 for seeking pre-arrest bail to the petitioner in case bearing FIR No.72 dated 15.07.2022 registered under Sections 420, 120B, 201 of the Indian Penal Code, 1860 and Section 66-D of the Information Technology Act, 2000 at Police Station D-Division, District Amritsar.

2. The FIR in the present case has been registered on the statement of complainant Dr. Subash Chander, son of Sita Ram, resident of Amritsar. The same was recorded in the order of Trial Court, which reads thus:

“....the present case has been registered on the statement of complainant Dr. Subash Chander and after detailed enquiry conducted by the police. Further submits that as per complainant, on 02.07.2022 a telephone call has been received on the mobile phone of the complainant from abroad and complainant thought that said call was from his friend Surinder Singh, who resides in Canada. Complainant was told that about Rs. 16,00,000/- is to be transferred in his account and account details has been sought. On asking of his friend, he gave his account details and on thereafter again phone call has been received and on the asking of

his Rs.4,00,000/-, on 04.07.2022 a sum of Rs.5,00,000/-, on 05.07.2022 a sum of Rs.6,00,000/- and on 06.07.2022 a sum of Rs.4,00,000/- have been transferred. Ld. Addl. PP submits that on 06.07.2022 alleged sum of Rs.4,00,000/- has been transferred in the account of non-applicant Idrish Ali. Ld. Addl. PP submits that when the said Idrish Ali was arrested, he disclosed that Ahamar Hassan alias Prince has got his bank account and he is not aware of any such transfer of the amount in his account and the instance of his friend that Rs. 16,00,000/- would be transferred, but he also got one call from the person, who projected himself to be a Bank Manager that the transaction of Rs. 16,00,000/- is under process and same would be credited in one or two days. Ld. Addl. PP further submits that friend(projected himself to be Surinder Singh), on 02.07.2022 a sum of Rs.4,00,000/-, on 04.07.2022 a sum of Rs.5,00,000/-, on 05.07.2022 a sum of Rs.6,00,000/- and on 06.07.2022 a sum of Rs.4,00,000/- have been transferred. Ld. Addl. PP submits that on 06.07.2022 alleged sum of Rs.4,00,000/- has been transferred in the account of non-applicant Idrish Ali. Ld. Addl. PP submits that when the said Idrish Ali was arrested, he disclosed that Ahamar Hassan alias Prince has got his bank account and he is not aware of any such transfer of the amount in his account and thereafter on 22.08.2022 Ahimar Hassan alias Prince has been arrested. As per record, said amount of Rs.4,00,000/- has been transferred from the account of Idrish Ali non-applicant to some other accused on 07.07.2022. Ld. Addl. PP submits that in total Rs.19,50,000/- has been transferred from the account of complainant and no amount has been ever received back in his account, as promised by the person, who has called him and projected himself to be Surinder Singh friend of the complainant”

3. Learned counsel for the petitioners contends that the petitioners are innocent and have been falsely implicated in the present case on account of an old enmity. It is submitted that no amount was transferred into the account of the petitioners and the amount in question had been recovered from the other

co-accused. It is further submitted that investigation in the case is complete and the chargesheet has already been filed before the Trial Court and the petitioners were initially kept in column No.2 of the Challan.

4. Learned State Counsel, however, contends that the petitioners had been placed under Column No.2 of the challan since they were not arrested and not on account of the petitioners having been found innocent. It is vehemently argued that co-accused Idrish Ali son of Shakat Khan was arrested by the Police who disclosed that Ahamar Hassan @ Prince had got opened a bank account using his passbook, debit card etc. and that he was not aware of transfer of any such amount in the said bank account. He further contends that as per the record an amount of Rs.4,00,000/- had been transferred in the account of co-accused Idrish Ali and in a similar manner a total of Rs.19,50,000/- had been transferred from the account of the complainant to certain persons on different dates but no amount was ever received in the account of the petitioner. The petitioners herein came into picture during the investigation on the basis of confessional statement of co-accused Gulshan Kumar. He refers to short reply dated 28.11.2025 filed by way of an affidavit of Jaspal Singh, PPS, Assistant Commissioner of Police, Central, Amritsar. Relevant part of which reads thus:

“6. That based on the aforesaid disclosure statement of the co-accused Idrish Ali, the above said Ahmer Hassan @ prince S/o Phool Mohammad was also arrested on the same day i.e. 22.08.2022 and was subjected to Interrogation, during which he made disclosure statement that, "On 22-08-2022, after inquiry, as per procedure, he was arrested. During this, he disclosed HIT YS 105 that: 'My one very old friend Gulshan Kumar son of Ajay Kumar, resident of village Latiya, District Motihari, Bihar, who studied with me in 11th and 12th class in Shri Anurag Narain Singh College Motihari, East Champaran, Bihar, with whom I had

very close sitting-eating relationship. And he used to come to meet me at Swami Vivekanand College Institute of Technology, Banur, Chandigarh and sometimes he stayed with me in the college hostel. That my friend Gulshan Kumar about 2 to 2½ months ago spoke with me that now he along with his friends, by deceit, calls people and trapping them in his talks, withdraws online money from their bank accounts. And for withdrawing those online-fraudulently taken money he needs different banks' accounts, passbooks, ATM cards and SIM numbers attached with the accounts. "You find boys from your college who, on your saying, will open their bank accounts and give them to me. Then I will give you 15,000/-15,000/- rupees for each account. And to the person whose account you give me, I will also give 15,000/- per account." So I, due to greed for money, came under the influence of my friend Gulshan Kumar's words. And to do this work for him, I spoke with my friend Idrish Ali son of Shokat Ali Khan, resident of village Jharod, near New Masjid, District Nagaur, Rajasthan, who studies with me in Swami Vivekanand College Institute of Technology, Banur, Chandigarh and is studying Radiology. Then, on the asking of Gulshan Kumar, I told my friend Idrish Ali to get a Punjab National Bank account opened. So my friend Idrish Ali, under greed of money, in his own name opened Punjab National Bank Branch account number 0853100100005058 dated 15-6-2022, and after receiving the ATM of the account after 2/3 days, including ATM No. 5085460023535183, and after purchasing SIM number 62834-77841 in his own name, gave them to me. I, after one-two days, gave Idrish Ali's Punjab National Bank Branch Rajpura passbook, ATM card, and the SIM number 62834-77841 purchased by him ahead to my associate Gulshan Kumar. In return, Gulshan Kumar gave to me and to my friend Idrish Ali 15,000/-, 15,000/- rupees, out of which the 15,000/- rupees given in the name of Idrish Ali by Gulshan Kumar, I gave to him."

7. That during investigation, based on the disclosure statement of the co-accused Ahmer Hassan, one passbook of account No. 0853100100005058 of the co-accused Idrish Ali with Punjab

National Bank, branch Rajpura with ATM car were recovered from his hostel room, which were identified by the co-accused Idrish Ali. As these accused persons did not get recovered other articles and the amount received by them from co-accused Gulshan Kumar as per their disclosure statements, hence offence under Section 201 IPC was added vide GD No. 30, dated 25.08.2022.

8. *That during investigation, the co-accused Gulshan Kumar S/o Ajay Kumar, who was in judicial custody at Central Jail, Bhondsi, Gurugram, Haryana in case FIR No. 124, dated 30.07.2022, under Sections 387, 506, 120B IPC, PS Sadar Sohna, Gurugram, Haryana, was brought on production warrant and was formally arrested on 27.08.2022 with the permission of the learned Court.*

9. *That during investigation, the above said co-accused Gulshan Kumar made disclosure statement before the investigating officer that his school friend Ritik, son of Sunil Singh, resident of Village Parsona, PS Sangrampur, District Motihari, Bihar-who had studied with him at Government High School, Paharpur, District Motihari, Bihar-was living along with his associate Sandeep @ Sandy, son of Krishna Prasad, resident of Village Marjwa, PS Purshottampur, District West Champaran, Bihar, at Plot No. 148, Flat No. 003, A-Block, Rajindra Park, Gurugram, Haryana. Ritik had called him there about 3-4 months earlier. It was further disclosed that at that place, those persons used to cheat innocent people by deceiving them over phone, trapping them in conversation, and thereafter transferring money online from their bank accounts into other accounts. Later, they would withdraw the amounts. He revealed that for this illegal activity, they required passbooks of various bank accounts, ATM cards, and the SIM numbers attached to those accounts. According to him, Ritik and Sandeep had explained the entire fraud to him and told him to lure his own friends by offering them money, and have bank accounts opened in their names. He was told that he would be paid ₹10,000 per account, and the person in whose name the account was opened would be paid 15,000. He stated that he fell into their*

temptation for money and, after talking to his friends, started getting bank accounts opened in their names by offering them monetary inducements, and would then hand over those accounts to his associates Ritik and Sandeep @ Sandy. He further disclosed that during the same period, i.e., in June 2022, the PNB account No. 0853100100005058 with ATM No. 5085460023535183 and SIM No. 62834-77841, which was in the name of co-accused Idrish Ali, had been purchased by him through his friend-co-accused Ahmar Hasan @ Prince. In return he had paid ₹15,000 each to Idrish Ali and Ahmar Hasan for the said account. After purchasing this account, he had handed it over to his associates Ritik and Sandeep @ Sandy, who paid him ₹10,000 for the same. He further disclosed that Ritik and Sandeep had fraudulently transferred a total amount of ₹4,00,000 into the said Idrish Ali's account in July 2022 by deceitfully inducing some unknown person and getting the money transferred online. It was further disclosed that only Ritik and Sandeep were aware of the details of that act. It was further disclosed that both Ritik and Sandeep @ Sandy were presently lodged with him in Central Jail Bhondsi, Gurugram, Haryana, in FIR No. 124 dated 30-07-2022 under Sections 387, 506, 120-B IPC registered at Police Station Sadar Sohna, Gurugram, Haryana.

10. That therefore, the above said Ritik and Sandeep @ Sandy were also nominated as co-accused and they both were also brought on production warrant and were formally arrested in the present case with the permission of the Ld. Magistrate. The co-accused Ritik Singh made disclosure statement dated 11.09.2022 before the investigating officer that, "After finishing my +2 studies, I used to roam around idle in the village. At that time, **two real brothers from our village, Aman Singh and his brother Adarsh Singh, sons of Anjay Singh, residents of Village Parsona, District East Champaran, PS Sangrampur, Bihar, who had been living in Delhi for quite some time, when they came back to the village, about 4/5 months earlier, they took me along with them to their rented accommodation at Plot No. 148, Flat**

No. 003, A-Block, Rajindra Park, Gurugram, Haryana. There, they introduced me to Gulshan Kumar, son of Ajay Kumar, resident of Village Latiya, PS Paharpur, District Motihari, Bihar, who had already been living with them. Along with them, many other boys from different states were also present. They had together formed a very large gang, in which I also became included. They used to cheat innocent people by misleading them through WhatsApp calls, trapping them in their talk, and then making them transfer money online from their bank accounts into various bank accounts that had been purchased from different boys. Afterward, they would withdraw the transferred money. For this reason, they needed passbooks of different bank accounts, ATM cards, and the SIM numbers attached to those bank accounts. For collecting such bank accounts, passbooks, and attached SIMs from boys all over the country, Aman Singh and his brother Adarsh Singh had kept many boys engaged. Among them, Gulshan Kumar was also included. Regarding this entire fraud, Aman Singh, his brother Adarsh Singh, and their associate Gulshan Kumar talked to me and explained everything to me about the fraud. Aman Singh and Adarsh Singh kept me on salary for maintaining the accounts of various bank accounts, passbooks, ATM cards and attached SIMs, which had been collected from many boys for committing the fraud, at the rate of Rs. 20,000 per month. They also took responsibility for all my monthly expenses including food, clothing and other expenses. They used to trap innocent people through their talk over WhatsApp calls and pull out huge amounts of money online from their bank accounts into the purchased bank accounts of different boys. Thereafter, they used to withdraw the money through ATM. This amount used to be in lakhs on a daily basis. During this same period, Aman Singh and Adarsh Singh had many boys appointed across the country to collect bank accounts. Ours was a very large gang, in which I myself was also included. During this period, in June 2022, Gulshan Kumar gave me a bank account number

0853100100005058 with ATM No. 5085460023535183 and SIM No. 62834-77841, which was in the name of Idris Ali, son of Shaukat Ali Khan, resident of Village Jharod, near New Masjid, District Nagaur, Rajasthan, after purchasing it for committing fraud. In return, Aman Singh and Adarsh Singh had given about Rs. 40,000 to Gulshan Kumar. This account / handed over to Aman Singh and Adarsh Singh for committing fraud. Into this bank account, both of them, by calling innocent people through WhatsApp and trapping them in their talk, had several times made online money transfers. This money was in lakhs. Out of that, on 06-07-2022, by misleading some unknown person and trapping him in their talk, they had made an online transfer of Rs. 4 lakhs from his bank account into the said account of Idris Ali. I remember this incident. Later also, many times lakhs of rupees were fraudulently transferred online into this bank account. Afterward, in July 2022 itself, I returned this bank account along with ATM and passbook to Gulshan Kumar. The SIM number 62834-77841 was kept by Aman Singh and Adarsh Singh with themselves. Then, in August 2022, Gulshan Kumar, Sandeep Kumar @ Sandy, Bunty and I, who were all part of our gang, were arrested by Gurugram Police after conducting raids at different police stations. Many SIMs of various companies, mobile phones of different companies, many ATM cards of various banks and passbooks etc. were recovered from us, and a case was registered against us. At the time of this arrest, Aman Singh and his brother Adarsh Singh had gone to their village Parsona, Bihar. I joined their gang due to greed for money and committed a very big mistake. Kindly forgive me."

5. Learned State Counsel contends that it is evident from the perusal of the above that the petitioners herein were in fact the kingpin of the entire racket of cyber fraud and had been alluring and trapping innocent persons by way of fraudulent internet transfers into their bank accounts.

6. I have heard learned counsel for the respective parties and have gone through the documents appended alongwith the present petition as well as the status report filed by the respondent-State before this Court.

7. It needs no mention that cyber crimes are often carried out in layered transactions designed to hide the origin and ultimate destination of funds and to remove their transactional footprints. The nature of the transaction has to be seen as a composite and co-ordinate enterprise, wherein, different persons have different roles to perform in furtherance of a common design . The criminal liability of the individuals cannot be dissected solely on the basis of the part played by each individual or the manner in which the funds were routed. Merely because the petitioners have not received any amount into their accounts directly cannot be inferred by this Court to mean that they have no role in the present case. The investigation conducted by the Investigating Agency *prima facie* indicate that the petitioners were in fact the persons who were instrumental in steering and orchestrating the entire *modus operandi*.

8. In such circumstances, the role attributed to them cannot be diluted merely on the ground that the proceeds of crime were not directly transferred into their bank accounts.

9. This Court in CRM-M-4401-2026 titled as “*Neeraj Sharma Vs. State of Haryana*” vide order dated 09.02.2026 has held as follows:-

“14.Cyber offences, particularly those involving inducement to invest through digital platforms, creation of fictitious online identities and siphoning of large amounts of money through structured banking channels, are required to be dealt with sternly. The increasing sophistication of such crimes poses a grave threat to public confidence in financial institutions and digital platforms and cannot be reduced to a matter of private settlement. In an era where commerce and governance are

increasingly digitised and interlinked, the ramifications of such offences extend beyond the immediate parties and may generate cascading consequences across sectors. The erosion of trust in financial systems and technological frameworks poses a serious threat to economic order and public welfare. This court bears a solemn obligation to protect not only individual victims but also the collective interests of society.....

15.....It also merits consideration that in cases involving cyber fraud, the complainant who approaches the investigating agency may not necessarily be the sole victim of the alleged scheme and such offences are seldom isolated or singular in character. The digital architecture through which such offences are committed increases the likelihood that similarly placed investors or participants may have been induced into comparable transactions. The detection of one complaint may thus represent only the surface of a more deep rooted and organised activity. In matters of this nature, a thorough and comprehensive investigation is imperative and must be carried to its logical conclusion so as to ascertain the full extent of the criminal enterprise, the number of victims who may have been defrauded and the precise role and involvement of each accused. To curtail the process at an intermediate stage would risk frustrating the discovery of material facts and undermining the larger objective of justice.

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18. The complexity of the financial trail and the manner in which funds were routed through different accounts indicate that only a comprehensive and in-depth investigation would unravel the complete extent of the alleged conspiracy and identify all persons involved. At this stage, to stifle the prosecution on the basis of a bilateral compromise would be premature and contrary to the larger interests of justice.

19 It is also pertinent to note that the Hon'ble Supreme Court, in In Re: Victims of Digital Arrests related to Forged Documents [Suo Motu Writ Petition (Criminal) No. 03 of 2025], vide order dated 17.11.2025, declined to grant bail to the accused therein until the investigation had reached its logical conclusion. The Apex Court observed that offences involving digital fraud and forged documentation raise issues of grave concern, having wide-ranging implications for public trust and systemic integrity.

(emphasis supplied)”

10. Noticing the aforesaid facts and circumstances, I am of the opinion that crimes of such nature require a deep and pervasive investigation and such a thorough inquiry cannot be effectively conducted if the suspects or accused are granted the protective shield of interim bail/ anticipatory bail.

11. Consequently, the present petition is **dismissed**.

(VINOD S. BHARDWAJ)
JUDGE

18.02.2026

Sumit Gusain

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