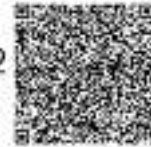


IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

204

2026:PHHC:018172



CRM-M-65724-2025 (O&M).
Date of decision: 06.02.2026.

SIRI BAS SARKAR ALIAS SIBA SARKAR

...Petitioner(s)

VERSUS

STATE OF HARYANA

...Respondent(s)

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

Present :- Mr. Raj Mohan Singh, Advocate,
for the petitioner.

Ms. Chhavi Sharma, AAG, Haryana, assisted by
ASI Ram Bilagh, No.95, HNS.

VINOD S. BHARDWAJ, J. (Oral)

This is the first petition filed under Section 483 of the Bharatiya
Nagarik Suraksha Sanhita, 2023, for grant of regular bail to the petitioner in
case bearing FIR No.56 dated 27.11.2024, under Section(s) 318(4), 61(2),
3(5), 336(3), 338, 340(2) and 238 of the Bharatiya Nyaya Sanhita, 2023,
registered at Police Station Cyber Crime, Hansi, District Hisar.

The aforesaid FIR was registered on the statement of complainant
Raj Kumar Vats, Advocate. The translated version reads as under: -

“According to the complainant, on 19.11.2024 at

approximately 9.00 A.M., he received a WhatsApp call from an unknown number xxx9927835. The caller identified himself as an official and informed the complainant that the Bombay Customs Department had intercepted a parcel arriving from Malaysia, which was found to contain narcotic substances. The complainant denied any association with the said parcel. Subsequently, the caller stated that the matter would be investigated by the Bombay Police and the Central Bureau of Investigation (CBI). The call was then transferred to other individuals claiming to be law enforcement officials, who informed the complainant that the drug case had been dropped. However, they further alleged that one Mr. Sanjay Singh, a former manager at HDFC Bank, had implicated the complainant in a financial fraud by stating that he had opened a fictitious bank account in the complainant's name, in which Rs 32 crores had purportedly been deposited. The said Sanjay Singh, along with two accomplices, was alleged to have illegally earned the aforementioned amount by facilitating the unauthorized emigration of individuals abroad. The complainant categorically denied any knowledge of Sanjay Singh or any such fraudulent bank account. Thereafter, the callers informed the complainant that Sanjay Singh had been arrested and had confessed to having paid Rs 1,00,00,000/- to the complainant for opening the said account. It was further alleged that Sanjay Singh had trafficked 80-85 minors to foreign countries, earning Rs 32 crores, which he deposited into the fictitious account. The callers claimed that an investigation was underway and requested the complainant to share the details of and his wife's bank accounts. The complainant disclosed that he held approximately Rs 1.25 crores in his account. He was then Instructed to cooperate with the Bombay Police investigation. The complainant informed them that, being 78 years of age, he was not in a position to travel to Bombay. Subsequently, an individual identifying himself as Amit Kumar told the complainant that he would refer the matter to his

senior, Mr. Anurag Jain. Mr. Jain allegedly informed the complainant that a "digital arrest" would be effected if he failed to comply. The complainant was then instructed to liquidate his fixed deposits (FDRs) and deposit the amount into a bank account purportedly held in the name of the CBI Court for the purpose of verification. It was assured that the amount would be refunded after verification. Relying on the said representations, the complainant transferred a total sum of Rs 1,33,00,000/-from his and his wife's bank accounts to the accounts provided by the callers between 19.11.2024 and 26.11.2024. Subsequently, the complainant realized that he had been defrauded and accordingly submitted an application to the police. The investigating authorities have since collected the bank account statements of the complainant and his wife. Upon which a case FIR No. 56 dated 27.11.2024 under Sections 318(4) of BNS was registered at Police Station Cyber Crime Hansi, Police District Hansi."

Learned counsel appearing on behalf of the petitioner contends that the petitioner owns a mobile shop in local market and that as per the concluded investigation, a secondary role has been attributed to the petitioner. He contends that as per the case of the prosecution, the petitioner facilitated the accused Apurba Biswas and Pampa Rai in opening and operating the bank accounts. The money is stated to have been transferred in the said bank accounts. It is contended that co-accused Pampa Rai has already been granted the concession of regular bail by the trial Court vide order dated 19.01.2026. He contends that present case is a Magisterial trial and the petitioner has been in custody for nearly 07 months. He further contends that the trial is yet to commence and there are total 39 witnesses cited by the prosecution who are to be examined in the present case and as such, the conclusion of trial shall

take long.

State counsel, on the other hand, on instructions does not dispute the custody period and that co-accused has been granted the concession of regular bail by trial Court.

Having heard the learned counsel for the parties and taking into consideration the period of actual custody undergone by petitioner, the stage of the trial where the evidence is yet to commence and the attribution to the petitioner, I deem it appropriate to allow the present petition. Accordingly, the present petition is allowed. The petitioner is ordered to be released on bail on his furnishing requisite bail bond/surety bond to the satisfaction of the Trial Court/Duty Magistrate, concerned.

It is made clear that the petitioner shall not extend any threat and shall not influence any prosecution witnesses in any manner directly or indirectly.

The observation made hereinabove shall not be construed as an expression on the merits of the case and the trial Court shall decide the case on the basis of available material.

February 06, 2026.
raj arora

(VINOD S. BHARDWAJ)
JUDGE

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