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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-64677-2025(O&M)
DATE OF DECISION : 6th March, 2026

Manish Kumar Samota

.... Petitioner

Versus

State of Haryana and another

.... Respondents

CORAM : HON’BLE MR. JUSTICE SANJAY VASHISTH

* * *

Present : Mr.Kanhiya Soni, Advocate for the petitioner.

Mr.Kanwar Sanjiv Kumar, AAG, Haryana assisted by
ASI Sajjan Singh, PS Cyber Crime, Sirsa.

* * *

SANJAY VASHISTH, J. (Oral)

1. The instant petition has been filed under Section 483 of BNSS, 2023 (earlier Section 439 of Cr.P.C.), for grant of regular bail to the petitioner, during the pendency of trial, who has been booked in a criminal case arising out of First Information Report, as detailed hereunder:-

Name of Petitioner(s)	FIR No.	Date	Section(s)	Police Station	Distt.
Manish Kumar Samota	01	01.01.2025	318(4) of BNS	Cyber Crime	Sirsa



2. As per allegations in the FIR, complainant Gurvinder Singh received a call on *Instagram* on the ID named "*the_dealsspot*". When the link was clicked on this ID, whatsapp number of caller opened, who asked to send Rs.9,999/- to UPI ID '9651503459@naviaxis'. Similarly, twice an amount of Rs.25,590/- was also got transferred through the whatsapp calls. Thus, complainant got the FIR registered that he has been swindled for a total sum of Rs.61,979/-.

3. Learned counsel for the petitioner argues that petitioner's name surfaced in the disclosure statement of co-accused Nilesh, who has already been granted bail by the Court of Judicial Magistrate Ist Class, Sirsa vide order dated 18.10.2025 (Annexure P-5). Thus, once the prime accused Nilesh being granted bail and the petitioner not being the direct beneficiary of the alleged cyber fraud, he is also entitled to bail.

4. On advance notice and in response to the arguments addressed by learned counsel for the petitioner, learned State counsel, produces the custody certificate dated 05.03.2026 in Court today, which is taken on record. Office to tag the same at appropriate place. A copy thereof has been handed over to the counsel for the petitioner.

As per the custody certificate, in the present case, petitioner has already undergone 06 months and 12 days period inside jail and there is no other case registered against him.

5. Learned State counsel while opposing the prayer and submissions made by learned counsel for the petitioner, by referring to the reply dated 03.12.2025, submits that during investigation total five accused were found involved in this crime i.e. i) Manish Kumar Samota



(petitioner herein), ii) Harish Sharma, iii) Nilesh, iv) Mahesh and v) Prakash @ PK. The role of the petitioner is that he was working on the instructions of the main accused Prakash @ PK and Nilesh.

6. After hearing learned counsel for the parties and perusing the relevant material on record with their able assistance, this Court finds substance in the submissions made by learned counsel for the petitioner. The total amount involved in the present cyber crime is Rs.61,979/- only. Since petitioner is not involved in any other case, and co-accused Nilesh, Mahesh, Harish Sharma and Prakash @ PK have already been granted bail, there is no specific reason for denying the relief of bail to the petitioner as well.

7. In view of totality of circumstances, and the facts/allegations levelled against the petitioner, and the factors noticed hereinabove, I deem it appropriate to grant the concession of bail to the petitioner.

8. Consequently, prayer made in the present petition is allowed. Petitioner is ordered to be released on bail, subject to his furnishing bail/surety bonds to the satisfaction of the learned trial Court/ Chief Judicial Magistrate/ Illaqa Magistrate/ Duty Magistrate concerned, if not required in any other case.

9. Needless to observe that the petitioner shall not extend any threat and shall not influence any prosecution witness in any manner directly or indirectly.

10. Any of the discussion done and recorded hereabove, shall not be construed as an expression of opinion on the facts of the case. Therefore, Trial Court is expected to decide the case by taking an



independent view, on the basis of evidence available on record, as expeditiously as possible, in accordance with law.

11. Petition stands disposed of.

March 06, 2026
gjan

(SANJAY VASHISTH)
JUDGE

<i>Whether speaking/reasoned:</i>	<i>Yes</i>	<i>No</i>
<i>Whether Reportable:</i>	<i>Yes</i>	<i>No</i>