

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH

2026.PHHG.030997



CRM-M-65399-2025 (O&M)

Naman Kumar

...Petitioner

Versus

State of Haryana

...Respondent

Sr. No.	Particulars	Details
1	The date when the judgment is reserved	24.02.2026
2	The date when the judgment is pronounced	26.02.2026
3	The date when the judgment is uploaded on the website	26.02.2026
4	Whether only operative part of the judgment is pronounced or full judgment is pronounced	Full
5	The delay, if any, of the pronouncement of full judgment, and reasons thereof	Not applicable

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present:- Mr. Ravinder Malik, Senior Advocate with
Mr. Garvit Mittal, Advocate
for the petitioner.

Mr. Neeraj Poswal, AAG, Haryana.

Mr. Vikram Singh, Advocate
for the complainant.

Dr. Anita, Complainant in person through VC.

MANISHA BATRA, J.

1. Prayer in this petition, filed by the petitioner under Section 483 of BNSS, 2023, is for grant of regular bail to him in case arising out of FIR No.38 dated 31.01.2025, registered under Sections 308(2), 318(4), 319, 336(3), 338, 340, 241, 61(2) and 3(5) of BNS, 2023 and Sections 66C, 66D of the

Information Technology Act, 2000 at Police Station Cyber Crime, West Gurugram, District Gurugram.

2. The aforementioned FIR was registered on the basis of complaint lodged by complainant Dr. Anita, a retired Principal alleging that on the evening of 03.01.2025, she had received a call on her cell phone. The caller told her that several complaints were registered against her for violation of illegal advertisements and sending harassing messages and an FIR was registered against her. She was also informed that three cell phone numbers, which she was using, would be blocked within short time. She also started receiving video calls from different numbers on her whatsapp and the callers told her that a bank account had been opened by her in favour of a person, who was accused of money laundering and committing frauds and she would be sent to jail for 14 years. She was forbidden from disclosing these facts to her family members under the threat that they would also be put to jail and their bank accounts would be frozen and that they would be mentally and physically tortured. She was forced to transfer a total amount of Rs.3,03,00,000/- from her bank accounts to different bank accounts, the numbers of which were disclosed by the callers. She was kept under digital arrest till the transfer of the above said amount and was not even made to leave her room. She was made scared of her life. Last video call was made to her on 31.01.2025, whereby threats were again extended to her.

3. During the course of investigation, it was found that an amount of Rs.62,00,000/- was transferred from the account of the complainant in the account of one M/s Param Enterprise and an amount of Rs.9,95,041/- was transferred in an account managed by co-accused Yogesh Sharma. He was arrested on 03.02.2025. He suffered disclosure statement to the effect that it

was on the asking of co-accused Rahul that he had given his bank account details to him and then as per instructions of co-accused Rahul, he had withdrawn an amount of Rs.9,90,000/- through cheque and had handed over the same to the said Rahul after keeping commission of Rs.5000/-. Co-accused Rahul was nominated as such and was subsequently arrested.

4. During the course of further investigation, accused Prince Jast was arrested. He suffered disclosure statement to the effect that on the asking of accused Jaswinder, an employee of Kotak Mahindra Bank, Ladwa Branch, and his friend, he had given details of his bank account and handed over his cheque book etc. to Jaswinder for the purpose of transfer of money received through online fraudulent transactions, on the basis of commission. He further disclosed that accused Prince Jast had advised him that whenever he would receive a confirmation call regarding clearance of a cheque issued by him, he would be required to give a nod. He also disclosed that on 08.01.2025, accused Jaswinder had told him that two cheques for sums of Rs.5,00,000/- each were to be cleared from his bank account on that day, out of which, one cheque would be cleared by the petitioner from Shahabad Branch and one cheque would be cleared by accused Lucky from Ladwa Branch of Kotak Mahindra Bank. He disclosed that he had given his nod for clearance of those cheques on receipt of call from the bank and in lieu thereof received commission of Rs.20,000/-. In view of his disclosure, Jaswinder and the present petitioner were nominated as additional accused. The petitioner was arrested on 03.02.2025 and disclosed that by hatching conspiracy with the co-accused Jaswinder and in pursuance of that conspiracy, he had gone to Shahabad Branch of Kotak Mahindra Bank with a cheque of Rs.5,00,000/- issued in the name of Prince Jast and had got the same withdrawn after receipt of

commission of Rs.50,000/-. He had also disclosed about receiving an amount of Rs.9,50,000/- out of the money received by way of fraudulent transactions. Investigation now stands completed.

5. It is argued by learned counsel for the petitioner that he was not named in the FIR and has been implicated in this case on the basis of disclosure statement allegedly suffered by co-accused Jaswinder and Prince Jast, which cannot be considered to be admissible in evidence. He has been in custody since 03.02.2025. Conclusion of trial is likely to take a considerable time. No useful purpose would be served by keeping him in custody anymore. He has clean antecedents. The only role attributed to him is that he had withdrawn an amount of Rs.5,00,000/- after presenting a cheque before the bank. He had never met the complainant nor induced her in any manner whatsoever. The ingredients for commission of subject offences are not attracted at all qua him. There are no chances of his absconding. The trial will take considerable time to conclude. His further incarceration would not serve any useful purpose. It is, therefore, argued that he deserves to be released on bail.

6. *Per contra*, learned State counsel, assisted by learned counsel for the complainant, has argued that there are serious and specific allegations against the petitioner. He was part of a gang of cyber fraudsters, who acted in different layers. An amount of Rs.62,00,000/-, out of the amount of money received from the complainant, had been deposited in the bank account of Param Enterprise, which was subsequently transferred to different bank accounts. The petitioner had withdrawn an amount of Rs.5,00,000/- from Shahabad Branch of Kotak Mahindra Bank by presenting a cheque. He in connivance with the co-accused had duped the complainant of a huge amount

of money. There are chances of his absconding , intimidating the witnesses or committing similar offences, if extended benefit of bail. It is, thus, urged that the petition does not deserve to be allowed.

7. This Court has heard the rival submissions.

8. The petitioner along with the co-accused is alleged to have hatched a conspiracy to commit online fraud/cheating by inducing public persons to part with huge amount of money and in pursuance thereof, co-accused by extending threats to the complainant had caused wrongful loss to the tune of Rs.3,03,00,000/- to her by making her transfer this much amount in different bank accounts. The allegations reveal active and prima facie participation of the petitioner in the crime. He was nominated during investigation on the basis of disclosure statements and is alleged to have actively participated in the conspiracy by presenting a cheque of Rs.5,00,000/- at the Shahabad Branch of Kotak Mahindra Bank and getting the same encashed, after which he allegedly received commission as well as part of the proceeds of the fraudulent transactions. The allegations indicate his involvement in the operational layer of a well-organised cyber fraud, wherein a retired lady was duped of a substantial amount by keeping her under digital arrest and inducing her to transfer huge sums of money. The magnitude of the amount involved, the organised manner in which the offence was allegedly committed and the petitioner's alleged role in facilitating withdrawal of fraudulently obtained money prima facie reflect the seriousness of the allegations levelled against him. Such like cases are on rise and everyday one hears about innocent public persons being duped of their hard earned money. The apprehension raised by the respondent that he may commit similar offences or abscond cannot be stated to be unfounded at this stage. Keeping in

view the nature of the allegations as levelled against the petitioner, quantum of sentence which the conviction may entail and the attendant facts and circumstances of the case, this Court is of the opinion that the petitioner does not deserve to be released on bail, at this stage. Accordingly, this petition is dismissed.

9. It is made clear that any observation made herein above is only for the purpose of deciding the present petition and the same shall have no bearing on the merits of the case.

26.02.2026
Waseem Ansari

(MANISHA BATRA)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No