



**IN THE PUNJAB AND HARYANA HIGH COURT AT
CHANDIGARH**

137

CRM-M-66040-2025 (O&M)
Date of Decision: 19.03.2026

MOHD. TALHA

... Petitioner

VERSUS

STATE OF HARYANA

... Respondent

CORAM: HON'BLE MR. JUSTICE H.S. GREWAL.

Present: Mr. K.S. Dhanora and Mr. Shantanu Bansal,
Advocates for the petitioner.

H.S. GREWAL, J. (ORAL)

CRM-11993-2026

Allowed as prayed for.

The documents Annexure P-5 and P-6 are ordered to be taken on record subject to all just exceptions. Registry is directed to tag the same at appropriate place of the paper book.

MAIN CASE

This petition has been filed under Section 483 Bharatiya Nagrik Suraksha Sanhita, 2023 seeking regular bail for the petitioner in case FIR No.49 dated 23.07.2025 under Sections 318(4) and 61(2) of the BNS, 2023 registered at Police Station Cyber Crime, District Kurukshetra.

2. The case of the prosecution is that the petitioner enticed Mohd. Adnan for using his account No.10212732587 in the name of M.A. Trading and the said account was also given to Sajid resident of Delhi who also used it for cyber fraud

and the registered Mobile Sim No.95575-33274 of the said account was also given to the said Sajid for making transactions through the said mobile number. It is stated that the petitioner alongwith his co-accused has succeeded in getting deposited an amount of Rs.2,67,83,330/- in the account of Mohd. Adnan regarding trading fraud, however, the complainant in the present case is stated to have been cheated of Rs.17,00,000/- approximately.

3. Learned Counsel for the petitioner contends that the complainant has compromised the matter with the accused persons and has resiled from his statement while appearing as PW1 before the trial Court. It is further submitted that the petitioner was arrested on 08.08.2025 and since then he is in custody. He further submits that the petitioner is not involved in any other criminal case. He thus prays that the petitioner be granted the concession of regular bail.

4. Notice of motion.

5. Dr. (Ms.) Malvika Singh, DAG, Haryana accepts notice on behalf of the State and vehemently opposes the petition for grant of bail on the ground that the allegations and role attributed to the petitioner in the commission of the alleged offence are specific and serious in nature as the petitioner has actively participated in the alleged offence. Hence, she prays for dismissal of the present petition. Custody certificate has not been filed by the State Counsel, however, she does not dispute the date of arrest of the petitioner.

6. On the other hand, Mr. Saarib Aggarwal, Advocate appears and files his power of attorney on behalf of the complainant and admits the factum of compromise.

7. I have heard learned counsel for the parties and perused the record.

8. Keeping in view the facts and circumstances of the case and taking into consideration the fact that the petitioner is in custody since 08.08.2025 coupled with the fact that the complainant has resiled from his statement before the trial Court, this Court is of the opinion that the petition in hand deserves to be allowed. Moreover, bail is rule and jail is exception. Since the continuous incarceration of the petitioner would not serve the ends of justice, therefore, he is entitled to regular bail during the pendency of the trial.

9. Therefore, without expressing any opinion on the merits of the case, the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing requisite bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

10. It is clarified that if while on bail so granted through the instant order, the petitioner is found indulging in any other criminal case/activity, it shall be open to the State to seek cancellation of his bail.

11. Nothing discussed hereinabove shall be construed as an expression of opinion on the merits of the case.

MARCH 19, 2026.
Rajender

(H.S. GREWAL)
JUDGE

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