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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-67710-2025
Decided on : 05.03.2026

RIJWANPetitioner
Versus
STATE OF HARYANARespondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Vipul Aggarwal, Advocate,
for the petitioner.

Mr. Pawan Kumar Jhanda, Sr. DAG, Haryana.

SANJAY VASHISTH, J.

1. The instant petition has been filed under Section 483 of BNSS, 2023 (earlier Section 439 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	District
Rijwan, aged about 22 years	118	18.07.2025	340, 338, 336(3), 319, 318(4) of BNS	Cyber Crime, Nuh	Nuh (Mewat)

2. Learned counsel for the petitioner contends that FIR has been registered at the instance of HC Nafees, who was posted as an Investigator in the Police Station Cyber Crime, District Nuh. It is submitted that suspected mobile numbers allegedly involved in cyber



crimes across India are displayed on the Pratibimb Portal maintained by the Ministry of Home Affairs through the Indian Cyber Crime Coordination Centre (I4C). While monitoring the said portal, the Cyber Crime Investigator noticed a suspected mobile number, i.e. 9034137395, against which following complaints were reflected, i.e.: (i) Complaint No.31307250048496 dated 12.07.2025, Police Station Cyber Crime Central, Faridabad, Haryana, and (ii) Complaint No.31104250081373 dated 23.04.2025, Porbandar, Gujarat.

It is further alleged by the prosecution that upon receiving the data relating to the said mobile number, petitioner was suspected to be involved in cyber crime by concealing his real identity online, allegedly using fake SIM cards and fraudulent mobile phones, and thereby cheating members of the public and causing financial loss to innocent persons.

3. Learned counsel for the petitioner submits that present case is a case of chance recovery, as there was no specific complaint against the petitioner alleging that he had committed any fraud upon any member of the public. It is contended that petitioner has been made a scapegoat in the entire matter and the police, allegedly under pressure from higher authorities, illegally arrested the petitioner without any fault on his part and subsequently nominated him as an accused in the present FIR. It is further submitted that prosecution itself is not certain about the fact that who is the actual complainant or victim in the present case.

4. Learned counsel further submits that petitioner is in custody since 18.07.2025, and trial is likely to take a considerable time to



conclude. Therefore, no useful purpose would be served by keeping the petitioner confined behind bars during the pendency of the trial. It is also submitted that petitioner is not involved in any other criminal case except the present one. Thus, counsel prays that petitioner be granted the concession of regular bail in the present case.

5. In response to the arguments addressed by learned counsel for the petitioner, learned State counsel, produces the custody certificate dated 03.03.2026 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 07 months and 14 days period inside jail and there is no other case registered against him.

6. Learned State counsel is unable to dispute the factual assertions made by learned counsel for the petitioner before this Court. However, he opposes the present petition and prays for its dismissal.

7. On a specific query put by the Court, learned State counsel submits that investigation in the present case has already been completed and *challan* (final report) has been presented before the competent Court against the petitioner and his co-accused, namely Saddam.

8. This Court has heard the submissions addressed by learned counsel for the parties and has also perused the record available before it.

9. In view of the totality of the circumstances, nature of the allegations levelled against the petitioner, and the factors noticed here above, including the period of incarceration already undergone by the



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petitioner and stage of the trial, this Court deems it appropriate to grant the concession of regular bail to the petitioner in the present case.

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.

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

11. Any of the discussion done and recorded here above, 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.

12. Petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

05.03.2026

Lavisha

Whether Speaking/Reasoned: **YES/NO**
Whether Reportable: **YES/NO**