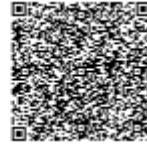


IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

2026:PHHC:047081



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CRM-M-67737-2025 (O&M)
Date of decision:24.03.2026

Paramjit Singh

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. G.S. Kaura, Advocate
Mr. Rangat Joshi, Advocate,
Mr. Amanpreet Singh Dhiman, Advocate
Mr. Dhruv Trehan, Advocate,
Mr. Malkeet Singh Gill, Advocate,
Ms. Shubh Karman Kaur Kaura, Advocate and
Mr. A.S. Walia, Advocate for the petitioner.

Ms. Ruchika Sabherwal, Sr. DAG, Punjab.

...

Manisha Batra, J. (Oral).

1. The instant one is the third petition as filed by the petitioner seeking benefit of regular bail in case arising out of FIR No.7, dated 10.06.2025, registered under Sections 316(2) and 318(4) of the BNS and Section 66(D) of the Information Technology Act, 2000, at Police Station Cyber Crime SAS Nagar, Mohali. His previous petition bearing CRM-M-40522-2025 had been dismissed by this Court on 04.08.2025.

2. The aforementioned FIR was registered on the basis of a preliminary inquiry report submitted by SI Ranjit Kumar, Incharge Pratibimb, State Cyber Crime, Punjab, which revealed that several

complaints had been received on the portal of National Cyber Crime against the present petitioner making allegations of committing cyber fraud by posting fake advertisements for rental accommodation on the OLX platforms. The complaints so filed by the victims revealed that they were induced by the petitioner to transfer money on the premise of security deposits, registration charges or rent and after receiving money from the victims, the petitioner used to discontinue communication with them and failed to provide the promised accommodations.

3. As per the status report as filed by the respondent/State during the course of investigation, a notice had been issued to the authorities of OLX to verify the fact that the advertisements on OLX were got posted by the petitioner. In response to the said notice, the authorities of OLX furnished relevant information along with list of advertisements uploaded through two particular cell phone numbers which were found to be registered in the name of the present petitioner thereby establishing his involvement in the posting of these advertisements on OLX platform. It was also revealed that the petitioner had opened and was operating multiple bank accounts for the purpose of receiving money by committing fraud upon the victims, who had responded to the rental advertisements posted by the petitioner, which were in fact fake. The details of the victims from whom such payments were obtained were also taken, which revealed that an amount of Rs.25,996/- was extracted by the petitioner from such victims. The petitioner was arrested on 14.06.2025. Two smart mobile phones were recovered from his possession which were sent for forensic examination. Investigation now stands completed.

4. It is argued by learned counsel for the petitioner that after dismissal of his previous petition as withdrawn on 04.08.2025, a period of approximately 08 months has lapsed. However, the trial has not progressed much further as no prosecution witness has been examined so far. It is further argued that the petitioner has been falsely implicated in this case. He is in custody since 14.06.2025. Investigation stands concluded. The trial will take considerable time to conclude. He had been conducting his business of providing rental accommodations for a considerable time and in a fair and transparent manner. The victims had been shown several properties. They had paid token amount to the petitioner. They themselves had refused to take accommodations and instead of seeking refund through lawful means, had lodged complaints culminating into FIR. He is ready to deposit the disputed amount of Rs.30,000/- in the shape of FDR. His further incarceration would not serve any useful purpose. Each day spent by him in custody furnishes a new ground for seeking benefit of bail afresh. It is, thus, argued that he deserves to be extended the benefit of bail.

5. Status report and custody certificate have been filed. Learned State counsel has argued that the allegations against the petitioner are serious in nature. He is a habitual offender since one more case of similar nature has been registered against him. There are chances of his absconding or committing similar offences, if extended benefit of bail. His previous petition has been dismissed as withdrawn vide order dated 04.08.2025. There is no specious or substantive change in the circumstances and as such, the present one being a successive petition is not even maintainable. It is, therefore, stressed that the petition does not deserve to be allowed.

6. This Court has heard the rival submissions made by learned counsel for the parties.

7. So far as the maintainability of the petition is concerned, it may be mentioned that an accused has a right to make successive applications for grant of bail, and it is the duty of the Court, while entertaining such a subsequent bail application, to consider the reasons and grounds on which the earlier bail petition was rejected. The fresh grounds which persuade the Court to take a view different from the one taken in the earlier application are also required to be recorded. Reference in this regard can be made to ***Prasad Shrikant Purohit v. State of Maharashtra (2018) 11 SCC 458***, wherein it was so observed.

8. The petitioner is alleged to have published fake advertisements for providing rental accommodations on OLX platform in order to part with money. As per the allegations, after receipt of different amounts of money from the victims, he used to stop contacting them and usurped that amount of money. The allegations *prima facie* make out a case for commission of the offence of cheating/criminal breach of trust by the petitioner. However, he has been in custody since 04.06.2025. He is not required for further investigation. The trial will obviously take time to conclude as no prosecution witness has been examined so far. He cannot be kept in jail for an indefinite period on account of his involvement in another case of similar nature. It is well settled proposition of law that bail is the rule and jail is an exception and the pre-trial incarceration should not be a replica of post conviction sentencing. The object of jail is to secure appearance of the accused during trial and it cannot be punitive or preventive. There is

nothing on record to show that the petitioner may abscond or commit similar offences.

9. In view of the discussion as made above, this Court is of the considered opinion that a case for release of the petitioner on bail is made out. Accordingly, the petition is allowed and the petitioner is directed to be released on bail subject to his furnishing personal bonds as well as surety bonds to the satisfaction of learned trial Court/CJM/Duty Magistrate concerned. The petitioner shall, however, keep the trial Court informed about any change in his residential address and his mobile number. He will keep his mobile phone active round the clock. He will also remain present before the trial Court on each and every date of hearing, failing which it shall be taken as misuse of the concession of bail. Similarly, if the petitioner is found involved in any other case of similar nature, that will amount to misuse of concession of bail and in that event, it shall be open to the State to apply for cancellation of bail without further reference to this Court.

10. It is, however, clarified that the observations made hereinabove shall not be construed as an expression of opinion on the merits of the case and shall not influence the outcome of the trial.

11. Since the main petition has been allowed, pending application, if any, is rendered infructuous.

(MANISHA BATRA)
JUDGE

24.03.2026

harjeet

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