IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

252 **CRM-M-67888-2025**
Date of decision: 9th February, 2026

Vijay Tulsani

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Mandeep Kumar Dhot, Advocate for the petitioner.

Mr. Roshandeep Singh, Assistant Advocate General, Punjab.

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MANISHA BATRA, J (ORAL):-

The present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the petitioner seeking grant of regular bail in case bearing FIR No. 02 dated 22.01.2024 registered under Sections 419, 420 and 120-B of IPC and Section 66-D of IT Act, 2000 at Police Station State Cyber Crime, District SAS Nagar, Mohali.

2. The aforementioned FIR was registered on the basis of a complaint made by complainant Kamaljit Singh alleging that he had received *whatsapp* calls/messages on his phone and the messenger/caller advised him to join *whatsapp* group namely "08 Private Equity Mentoring Exchange Club" and induced him to invest in stock market. He was made to download an

application and to invest an amount of Rs. 76,05,000/- through different transactions into eleven bank accounts. Subsequently, the investment application stopped functioning and realising that wrongful loss of money had been caused to the complainant and he was cheated, he prayed for taking action.

3. After registration of FIR, investigation proceedings were initiated. During the course of investigation, details of various bank accounts, in which the money of the complainant was deposited/transferred, were taken and it was revealed that an amount of Rs. 8,00,000/- was deposited in current bank account in the name of firm Maruti Plastic Udyog, operated by the present petitioner. He was nominated as an accused. He was arrested on 18.07.2025. He was interrogated and it was revealed that he had opened the above mentioned account with the object of facilitating receipt of illicit funds and the said account was utilized to receive fraudulent transfer of the amount of about Rs. 8,00,000/-. He also disclosed that he was employed as a helper in a plastic shop and had submitted purported shop agreement of same shop to open current account in his name. Investigation now stands completed.

4. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. He is only 8^{th} class pass person and was working as a helper with a scrap dealer. He is not knowing the complexity of financial activities. A fraud had been played upon him by the bank for its own monetary benefits. He was trapped by co-accused Ramesh on the pretext of taking home loan and by misusing documents of the petitioner with intent to

commit cyber fraud by opening current bank account in his name. The said Ramesh has not been arrested till date. The co-accused Harminder Singh has been extended benefit of bail. The subject offences are triable by Magistrate. Trial will take considerable time to conclude. No useful purpose would be served by detaining him in custody anymore. It is, therefore, argued that he deserves to be released on bail.

5. Status report and custody certificate have been filed. Learned State counsel has argued that there are serious and specific allegations against the petitioner who, in order to commit cyber crime and to facilitate fraudulent financial transactions by the co-accused, opened a current bank account in his name. This account was used for transferring of a substantial amount of Rs. 8,00,000/- from the bank account of the complainant and loss of more than Rs. 75,00,000/- has been caused to the complainant. There are chances of petitioner's intimidating the witnesses or committing similar offences if extended benefit of bail. It is, therefore, argued that the petition does not deserve to be allowed.

6. This Court has heard learned counsel for the parties at considerable length.

7. The petitioner is alleged to have facilitated commission of offence of cyber crime in connivance with the co-accused thereby causing huge loss of money to the complainant. The allegations against the petitioner are serious in nature. The co-accused in whose bank account only a sum of Rs. 50,000/- has been deposited has been extended benefit of bail. The allegations

against the petitioner are graver in nature. The grant of bail is a discretionary relief to be granted or denied based on specific facts and circumstances of each case. There cannot be any exhaustive parameters set out for considering the application for grant of bail. The factors such as, severity of punishment if the accusations entail a conviction and nature of evidence in support of accusations are to be seen. Keeping in view the serious nature of the accusations, the fact that the crimes of this nature are on the rise and have become a growing menace in today's digital age. Cyber criminals are using sophisticated methods to target public persons and institutions. A stringent approach to deter offenders is required. The gamut of above discussed circumstances does not call for grant of benefit of bail to the petitioner. Accordingly, the petition does not deserve to be allowed and is dismissed.

8. It is, however, clarified that the observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

9. Since the main petition has been dismissed, pending application, if any, is rendered infructuous.

[MANISHA BATRA]
JUDGE

9th February, 2026
Parveen Sharma

1. Whether speaking/ reasoned : Yes / No
2. Whether reportable : Yes / No