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

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CRM-M-68557-2025 (O&M)
Date of decision : 19.03.2026

Sahib Hussain

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present:- Mr. Gautam Dutt, Senior Advocate with
Mr. Yajur Moga, Advocate
for the petitioner.

Mr. Neeraj Poswal, AAG, Haryana.

MANISHA BATRA, J. (Oral)

1. The instant one is the second petition, filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, for grant of regular bail to the petitioner in FIR No. 85 dated 24.05.2025, registered under Sections 318(4), 319, 319(2) and 3(5) of BNS (Section 241 of BNS added later on) at Police Station Cyber Crime, Nuh.

2. As per the allegations, on 24.05.2025, ASI Raj Kumar, along with other police officials, was present in front of Police Post Chandaka, when a secret information was received that the petitioner and co-accused Robin were engaged in cyber fraud activities. It was alleged that the petitioner had created fake Facebook IDs to advertise pencil packing jobs, while co-accused Robin, posing as a girl on the SUGO video-voice chat App, used to contact individuals and obtain their WhatsApp numbers, manipulate their videos and then

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threatened to make them viral to extort money from such persons. It was further informed that both of them were present near the police post and could be apprehended along with the mobile phones used in sextortion. Acting on the information, a raiding party was formed and the petitioner along with the co-accused was apprehended at the spot. Upon personal search of the petitioner, one blue-coloured INFINIX mobile phone was recovered from him. On examination, WhatsApp account No. 9253339668 with profile name “Home Job” and profile photo of a calling sign was found, containing chats relating to offering pencil packing jobs to the public. Another cloned WhatsApp account No. 8813851195 with profile name “Dholi Jaan” and a girl’s photograph was also found, containing suspected chats regarding similar job offers. The petitioner was arrested on 24.05.2025 and has been in custody since then. Co-accused was also arrested. They suffered disclosure statements admitting their involvement in the subject offences. Investigation now stands completed and challan has been filed.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case on the basis of an alleged secret information. There is no private complainant/victim in this case. The police itself is a complainant in this case. No incriminating material has been recovered from him. The recovery of the mobile phone from him cannot be stated to have any link with any alleged cyber frauds. The petitioner is in custody since 24.05.2025. Investigation has since been completed and challan has been filed. Conclusion of trial is likely to take considerable time. Co-accused Robin has already been granted concession of regular bail by the learned trial Court. On parity, the petitioner too deserves to be given the same benefit. His

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involvement in other cases cannot be made a ground for denying him the benefit of bail in the given circumstances. No useful purpose would be served by keeping him in custody anymore. Therefore, it is urged that the petition deserves to be allowed and the petitioner deserves to be released on regular bail.

4. Reply has been filed by the respondent-State. Learned State counsel has argued that there are serious and specific allegations against the petitioner. He is a habitual offender as several other complaints regarding cyber fraud have been received against him from different persons. There are chances of the petitioner's absconding or committing similar offences, if released on bail. It is, thus, argued that the petition is liable to be dismissed.

5. This Court has heard the rival submissions.

6. A perusal of the record reveals that there is no private complainant/victim in the case and the FIR is primarily based on secret information. The petitioner has been in custody since 24.05.2025. Investigation has since been completed and challan has been filed. The trial is likely to take considerable time to conclude. Co-accused Robin has already been granted concession of regular bail by the learned trial Court. The principle of parity weighs in favour of the petitioner. Keeping in view the aforesaid facts and circumstances, this Court is of the considered opinion that no useful purpose would be served by keeping the petitioner in custody anymore. Accordingly, the present petition is allowed. The petitioner is ordered to be released on regular bail, subject to his furnishing personal/surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned. However, it will be open for the prosecution to apply for cancellation of bail in case the petitioner is found

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involved in any other subsequent case.

8. 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.

19.03.2026

Waseem Ansari

(MANISHA BATRA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No