2026:PHHC:027958

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

147

CRM-M-70395-2025 (O&M)
Date of decision : 23.02.2026

Suresh Kumar **...Petitioner**

Versus

State of Haryana **...Respondent**

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present:- Mr. Sanchit Punia, Advocate
for the petitioner.

Mr. Neeraj Poswal, AAG, Haryana.

MANISHA BATRA, J. *(Oral)*

1. Prayer in this petition, filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, is for grant of regular bail to the petitioner in FIR No. 20 dated 27.09.2024, registered under Sections 318(4), 61B and 238 of BNS, 2023 at Cyber Police Station, Narnaul, District Mahendergarh.

2. The aforementioned FIR had been registered on the basis of a complaint lodged by complaint Sunil Kumar, who was duped an amount of Rs.1,18,47,353/- being subjected to cyber/online fraud. On 27.12.2024, a raid was conducted at Flat No. 906, Sector 102, Gurugram, to apprehend Nitesh Garg, who was the account holder of an Axis Bank account, wherein a sum of Rs. 40,000/- from the account of co-accused Nikhil Bhardwaj had been transferred. In the said flat, accused Mukesh Nath, Aman Dela, Pramod, Kailash Nath, and Abhishek Sharma were found present and were involved in committing online fraud by using mobile phones and laptops. Several mobile phones, ATM cards, cheque books, passbooks, SIM cards and other documents

were recovered and taken into possession by the police. The above-named accused were joined in the investigation. During the course of further investigation, the accused suffered disclosure statements admitting their involvement in the crime. The call detail records, IMEI IDs of the cell phones used by these accused and recovered from the spot were collected and it was found that all of them were in conversation with each other as well as with the petitioner. Accused Sagar @ Daggal and Ashok @ Ashu @ was arrested and suffered disclosure statements. As per the disclosure statement of accused Sagar, he along with one accused Kamal had opened a bank account in the name of accused Pramod at Bandhan Bank and had handed over the said bank account kit to co-accused Ajay Kumar @ Robin Bishnoi, who further handed over the same to the present petitioner. He also disclosed that subsequently he started providing bank account kits to the present petitioner and used to make calls to the petitioner and other accused and exchanged WhatsApp chats with them.

3. As per the further allegations, the petitioner was joined in the investigation on 23.12.2024. On his personal search, two cell phones were recovered. Some suspicious WhatsApp chats were found in the said phones, which were taken into custody. The petitioner suffered disclosure statements and in his second disclosure statement suffered on 24.12.2024, he disclosed that about one year back, after seeing an advertisement on Facebook, he had contacted accused Arijit and Nikku, who were indulged in committing online cyber fraud. They told the petitioner that they needed bank accounts for cyber fraud work and, in lieu thereof, had agreed to pay Rs. 30,000 for each such account. He joined them. He further disclosed that he had provided 120 bank accounts to the co-accused and had also given 15 bank accounts received from

accused Ashu and Ajay Kumar @ Robin and had paid money to them. He further disclosed that he had even gone to Dubai in connection with cyber fraud work and had stayed there for four months, thereby earning a total amount of Rs. 6 lakhs. In pursuance of his disclosure statement, he got recovered 15 ATM cards of different banks, seven cheque books, six passbooks, eight SIM cards, and his passport. The video of the recovery was uploaded on e-Sakshi as per rules. The phones recovered from the petitioner were deposited at the CFSL/ETAC Lab, Gurugram and the report is awaited. Investigation qua the petitioner now stands concluded.

4. It is argued by the learned counsel for the petitioner that he has been falsely implicated in this case on the basis of disclosure statements of co-accused, which are not admissible in evidence. He is not the beneficiary of any transaction and no money has been transferred into any of his bank accounts. The co-accused Aman Dela and others have been extended the benefit of bail and on the ground of parity, he too deserves the same benefit. He is not required for further investigation. He has been in custody for a long time. Conclusion of trial will take considerable time. It is, therefore, argued that he deserves to be released on bail.

5. *Per contra,* learned State counsel has argued that there are serious and specific allegations against the petitioner. His complicity in the crime has been established not only on the basis of disclosure statements of the co-accused but also from the fact that 15 ATM cards, SIM cards, cheque books and passbooks were recovered from his possession. The call detail records of the petitioner and co-accused were obtained, which show that he was in direct contact with the co-accused and used to have conversations with them. It is also

submitted that as per the report of the Indian Cyber Crime Coordination Centre, the cheque books and passbooks recovered from the possession of the petitioner are linked with four cyber crime complaints registered in different States of the country relating to online interstate fraud. It is submitted that the allegations against the petitioner are grave in nature. The investigation is still ongoing to trace the entire trail of the cyber crime. There are chances of the petitioner's absconding or committing similar offences, if extended the benefit of bail. It is, thus, argued that the petition does not deserve to be allowed.

6. This Court has heard the rival submissions.

7. The petitioner is alleged to be involved in the commission of offences relating to online cyber fraud, as he allegedly made available bank accounts through which defrauded money was transferred. As per the allegations, he had provided 120 bank accounts to the co-accused. An amount of Rs. 55,000/- is alleged to have been transferred into the bank account pertaining to co-accused Parmod from the account of the complainant. As per the submissions of the respondent-State, four cyber crime complaints registered in different States of the country are found to have linkage with the cheque books and passbooks recovered from the possession of the petitioner. The allegations against the petitioner are serious in nature. Such cases are increasing at an alarming rate. Every day, one comes across instances where the hard-earned money of innocent citizens is siphoned off by organised groups of online fraudsters. Such offences not only cause financial loss to individual victims but also undermine public confidence in the security of digital transactions. Keeping in view the facts and circumstances of the case, the case of the petitioner cannot be stated to be at parity with that of the co-accused who have been extended the

2026:PHHC:027958

benefit of bail. Considering the gravity of the allegations levelled against the petitioner, the role attributed to him and the apprehension that he may abscond or influence the trial if extended the benefit of bail, which cannot be said to be unfounded at this stage, this Court is of the considered opinion that the petitioner does not deserve the concession of bail, at this stage. Accordingly, the petition is dismissed.

8. It is clarified that the observations made above shall not be construed as an expression of opinion of this Court on the merits of the case and shall not influence the outcome of the trial in any manner.

23.02.2026 **(MANISHA BATRA)**
Waseem Ansari **JUDGE**

Whether speaking/reasoned *Yes/No*

Whether reportable *Yes/No*