

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

313

CRM-M-71214-2025

Decided on :17.02.2026

Sanjay alias Sanju

. . . Petitioner(s)

Versus

State of Haryana

. . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. S.K. Bishnoi, Advocate for the petitioner.

Mr. Amish Sharma, Asst. A.G., Haryana.

SANJAY VASHISTH, J. (Oral)

1. Present petition has been filed under Section 483 of the BNSS seeking the grant of regular bail in FIR No. 280 dated 13.11.2024, registered under Sections 318(4) and 238(C) of the BNS at Police Station Sector 6, Dharuhera, District Rewari, Haryana.

2. Complainant-Rohit Verma, was allegedly defrauded as a result of a cybercrime committed by the petitioner along with his two co-accused, namely Dilabary and Amit Jaat. As per the allegations and the investigation conducted, it was found that an amount of ₹95,000/- was transferred on 12.11.2024 to the bank account of co-accused Dilabary. Further, on the same date, amount of ₹50,000/- and ₹25,000/- was credited to the bank account of the petitioner-Sanjay @ Sanju. Such offences are on the rise in the country, and public money deposited in banks is being siphoned off through such fraudulent activities, often extending beyond national boundaries.

3. With the prevailing circumstances, bank account holders are seriously developing a sense of insecurity regarding their hard-earned money deposited in the banks. The emerging trend of cybercrimes, as reflected in the present case, requires strict scrutiny and the application of strong deterrent principles.

4. It is particularly necessary to adopt such an approach because there exists no immediate statutory mechanism to provide prompt relief to an account holder who urgently requires the amount deposited in his bank account after being defrauded. Therefore, this Court is of the considered view that the amount which is undisputedly found to have been deposited/credited/transferred into the bank account of the accused seeking bail should either be refunded to the complainant-victim or, at the very least, deposited before the Court in the form of an FDR along with accrued interest, so that the grievance of the complainant is redressed without undue delay.

5. This Court expresses this concern especially for the reason that the defrauded amount may never be recovered by the complainant, and the conclusion of the criminal trial/case may take several years, or even a decade. Even in the event of conviction, it may not provide real or immediate relief to the victim.

Despite being given an opportunity to deposit/pay the amount of ₹75,000/- at the first instance, learned counsel for the petitioner submitted that the petitioner had merely permitted the use of his bank account for a limited purpose, for which he was paid ₹4,000/-

and therefore he is not ready to deposit the complete amount of Rs.75,000/-, which even was credited in his bank account.

6. In the interest of protecting citizens and securing the safety of funds deposited in banks, funds which are often misused when account holders share their details with individuals involved in cybercrime, this Court is of the view that a stringent approach is warranted.

7. Since learned counsel for the petitioner has categorically refused to deposit the aforesaid amount, this Court does not find any special reason to extend discretionary relief to the petitioner at this stage, particularly while balancing the considerations of personal liberty with the larger societal interest. This view is supported by the judgment of the Hon'ble Apex Court in '*Serious Fraud Investigation Office v. Aditya Sarda*', 2025 INSC 477 , wherein it has been reiterated that economic offences constitute a class apart and must be dealt with a stringent approach at the stage of bail. The Hon'ble Apex Court observed that grant of bail in serious financial fraud cases should be considered with greater caution, keeping in view the gravity of the offence, its impact on society, and the larger public interest.

In view of the above, present petition stands dismissed.

(SANJAY VASHISTH)
JUDGE

17.02.2026

Rashmi

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No