

2026.PHHC.045270



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH
CRM-M-73854-2025

Sukhwinder Singh
Versus
State of Punjab
...Petitioner
...Respondent

Sr. No.	Particulars	Details
1	The date when the judgment is reserved	17.03.2026
2	The date when the judgment is pronounced	23.03.2026
3	The date when the judgment is uploaded on the website	23.03.2026
4	Whether only operative part of the judgment is pronounced or full judgment is pronounced	Full
5	The delay, if any, of the pronouncement of full judgment, and reasons thereof	Not applicable

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Nitish Sharma, Advocate for the petitioner.
Ms. Ruchika Sabherwal, Sr. DAG, Punjab.

MANISHA BATRA, J :-

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. 19 dated 25.09.2025 registered under Sections 308(2), 319(2), 318(4), 338, 336(3), 340(2) and 61(2) of Bharatiya Nyaya Sanhita, 2023 (for short ‘BNS’) and Sections 66(C) and 66(D) of Information Technology Act, 2000 at Police Station Cyber Crime, District Crime Wing, SAS Nagar Mohali.

2. The aforementioned FIR was registered on the basis of a written complaint submitted by the complainant Vivek Gupta alleging therein that he had been duped of an amount of Rs. 1.20 crore by some unknown persons by

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way of his digital arrest. Those persons by impersonating themselves as police and CBI officials, criminally intimidated him by saying that his aadhar card and bank accounts were linked to criminal activities and by extending continues threats of arrest and psychological pressure, induced him to transfer the aforementioned amount from his bank accounts to different bank accounts provided by the fraudsters.

3. After registration of FIR, investigation proceedings were initiated. It was revealed during the course of investigation that an amount of Rs. 5 lakhs from the bank account of the complainant, had been transferred in the bank account of the present petitioner. The CCTV footage obtained from the concerned bank branch also showed the petitioner by using his own cheque book to withdraw the aforementioned amount. He was arrested on 30.10.2025. Two smart mobile phones and the cheque book of the aforementioned account was recovered from his custody. The cell phones have been sent for forensic examination. The petitioner on interrogation disclosed that he had opened his bank account at the instance of Gurpreet Singh and the said Gurpreet Singh and one Yadavwinder Singh were nominated as accused and were arrested. Investigation qua the petitioner stands concluded.

4. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. Gurpreet Singh and Sukhchain, who are his friends, had deposited an amount of Rs. 5 lakhs in his bank account to take some vehicle. He himself is a victim. The aforementioned amount was taken by Gurpreet and Sukhchain and he had nothing to do with the same. Gurpreet Singh and Yadwinder Singh have even been extended benefit of bail. On parity,

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he too deserves to be released on bail. He is in custody since long. Trial is likely to take time to conclude. The subject offences are triable by Magistrate. It is, therefore, argued that the petition deserves to be allowed.

5. *Per contra*, learned State counsel has argued that the allegations against the petitioner are serious in nature. The complainant had been duped of an amount of Rs. 1.20 crore out of the said amount Rs. 5 lakh was deposited in the bank account of the petitioner. The petitioner was shown in the CCTV footage of the concerned bank while withdrawing this money through his cheque book. His case cannot be stated to be at par with the case of the co-accused, who have been extended benefit of bail. He was not merely a innocent account holder but an active participant in the organized cyber fraud racket. This transaction forms part of the deliberate “Layering” mechanism adopted by the petitioner and the co-accused to disguise and siphon off the proceeds of the crime. The petitioner knowingly allowed his bank account to be used for receiving and transferring defrauded money thereby facilitating concealment of the money trail. The magnitude of the fraud, structured interstate banking transaction and the systematic movement of the funds clearly reflect prior meeting of mind and criminal conspiracy. His role is integral, intentional and direct. There are chances of his committing similar offences or absconding 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 joined the other cyber fraudsters

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to part with huge amount of money by letting his bank account used as a mule account for the purpose of transfer of money received by way of fraud. The allegations against him are specific and supported by investigation. The plea that he was not named in the FIR or that he was induced by the co-accused does not inspire any confidence at this stage particularly when his role has clearly emerge during investigation. Cyber crimes are steadily increasing and have a deep-rooted impact on society, targeting unsuspecting citizens and eroding public confidence in digital platforms. Such offences are serious economic crimes, affecting not only the victim but the financial system at large and, therefore, require a strict approach at the stage of bail. Keeping in view the gravity of the allegations, the manner in which the offences were committed, the part played by the petitioner and the attendant facts and circumstances of the case, this Court is of the considered opinion that the petitioner does not deserve to be released on bail, at this stage. Accordingly, the petition is dismissed.

8. It is made clear that the observations made hereinabove are only for the purpose of deciding the present petition and the same shall not be construed as an expression of opinion on the merits of the case.

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

[MANISHA BATRA]
JUDGE

23rd March, 2026

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