



**215 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**CRM-M-519-2026(O&M)
Date of Decision :13.02.2026**

Rasid

.....Petitioner

VERSUS

State of Haryana

....Respondent

CORAM : HON'BLE MS. JUSTICE MANDEEP PANNU

Present: Mr.Saleem Ahmed, Advocate for the petitioner.

Ms. Jasmine Gill, AAG, Haryana

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MANDEEP PANNU J. (Oral)

This is the first petition under Section 483 BNSS for grant of regular bail to the petitioner in case FIR No. 97 dated 12.06.2025, registered under Sections 318(4), 319(2), 336(3), 338, 340(2), 61(2), 3(5) of the BNS and Section 42(3) of the Telecommunication Act at Police Station Cyber Crime, Nuh, District Nuh, Haryana.

Reply/status report by way of affidavit of Ayush Yadav, Assistant Superintendent of Police, Nuh, on behalf of State of Haryana has been filed in the Court and the same is taken on record.

As per the prosecution case, on 12.06.2025, ASI Dharmender along with other police officials was performing online crime detection duty near village Silkho when a secret informer informed that certain persons were engaged in cyber fraud activities by preparing forged Facebook identifications and operating fraudulent



accounts. Acting upon the said information, a raid was conducted near Herbal Park, Nuh-Tauru Road, where two persons, namely Arbaj and Jaitun, were apprehended. From their possession, mobile phones, SIM cards, screenshots, alleged illegal chatting material and other digital data were recovered. During investigation, it was alleged that an amount of Rs. 80,000/- was involved through digital transactions concerning four complainants. Subsequently, on the basis of disclosure statements and further investigation, the present petitioner Rashid was nominated as an accused in the present case.

Learned counsel for the petitioner has contended that the petitioner has been falsely implicated in the present case and was not named in the FIR. It is argued that the initial raid led to the arrest of Arbaj and Jaitun and all alleged recoveries were effected from their possession. Even in their disclosure statements, the name of the present petitioner was not mentioned.

It is further contended that certain other persons were found involved during investigation and their statements were recorded under Section 180 BNSS, yet they were neither arrested nor arrayed as accused, demonstrating a pick-and-choose policy on the part of the investigating agency. The petitioner has been implicated subsequently on the basis of the disclosure statement of co-accused Naseem, which is a weak piece of evidence and cannot, by itself, form the basis for continued incarceration.

Learned counsel further submits that the allegation against the petitioner is that he prepared forged bank accounts while



working as a CSP/Banking Correspondent (CHC). However, the petitioner has never forged any document nor opened any fake account. It is submitted that the KYC documents were duly obtained and verified on original records at the time of opening the account and that the alleged discrepancy in the father's name of Naseem is merely a clerical or typographical variation which does not establish any criminal intent.

It is also argued that nothing is to be recovered from the petitioner and he is in judicial custody since 14.09.2025, and the trial is likely to take considerable time. Therefore, further detention of the petitioner would serve no useful purpose.

On the other hand, learned State counsel has vehemently opposed the present petition and submitted that the petitioner is not a mere bystander but an active participant in a well-organized cyber fraud racket. It is contended that during investigation, it has surfaced that the petitioner was operating a CSC centre in village Padhani and, in connivance with co-accused Aamir and others, used to open multiple NSDL and FINO bank accounts through his Spice Money agent ID by using fake particulars and forged credentials. He allegedly activated SIM cards through his Airtel and Vodafone POS IDs and retained the same for further use in cyber frauds. The State submits that several bank accounts and SIM cards were linked to fraudulent transactions and that amounts obtained through cyber fraud were routed through accounts connected with the petitioner.



It is further argued that technical evidence in the shape of CAFs, CDRs, bank account details and portal data has been collected, which prima facie connects the petitioner with the commission of the offences. Certain recoveries, including a mobile phone used in the cybercrime incident and biometric device, have also been effected pursuant to his disclosure statement. Learned State counsel contends that the allegations are serious in nature involving organized cyber fraud affecting victims in different States, and in case the petitioner is released on bail, there is every likelihood that he may tamper with the evidence or influence witnesses. On these grounds, prayer has been made for dismissal of the regular bail application.

I have heard learned counsel for the parties and have gone through the record with their able assistance.

At the outset, the contention of the petitioner that he is entitled to bail on parity with co-accused Arbaj and Jaitun does not merit acceptance. The material placed on record prima facie reveals that the role attributed to the present petitioner is qualitatively different and graver in nature. The said co-accused, who have been granted bail, are alleged to have acted at the lower rung by allowing use of their bank accounts or SIM cards. In contrast, the present petitioner was functioning as an authorized agent of NSDL Bank and FINO Payment Bank and was operating through a registered Spice Money agent ID and POS IDs of telecom companies. The allegations against him are that he misused his official position and infrastructure to open multiple bank accounts and activate SIM cards by using



fabricated or incorrect particulars, which were thereafter supplied to cyber fraudsters for commission of offences.

The investigation further indicates that several accounts opened through his agent ID were found linked with online cyber fraud complaints registered in different States. It is also alleged that the petitioner used his own identification credentials and official access to facilitate the opening and activation of bank accounts and SIM cards, thereby providing the foundational platform for commission of fraud. The recoveries effected, including the mobile phone allegedly used in the cybercrime and a biometric device, pursuant to his disclosure statement, lend further prima facie support to the prosecution case at this stage.

Unlike the co-accused who were allegedly account holders or SIM holders, the petitioner is stated to be the facilitator and enabler of the entire mechanism by misusing his position as a banking correspondent/agent. The accusations reflect not an isolated act but involvement in organized and systematic cyber fraud affecting innocent persons. The nature and gravity of the allegations, the modus operandi adopted, and the technical evidence collected during investigation prima facie indicate his active participation.

The trial has commenced and charges have already been framed. The offences alleged are serious in nature involving financial fraud through digital means, and the possibility of influencing witnesses or tampering with digital evidence cannot be ruled out at this stage.



In view of the aforesaid facts and circumstances, this Court is of the considered opinion that the case of the petitioner is distinguishable from that of the co-accused released on bail and does not warrant grant of regular bail at this stage.

Accordingly, the present petition for grant of regular bail is dismissed.

Pending application(s), if any, is/are disposed of.

February 13, 2026
rekha

(MANDEEP PANNU)
JUDGE

Whether speaking/non-speaking : Speaking
Whether reportable : Yes/No