

2025:PHHC:091522



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

CRM M-27388-2025

Date of Decision:23.07.2025

Munish Bansal

...Petitioner

Versus

State of Haryana

... Respondent

CORAM : HON'BLE MR. JUSTICE N.S.SHEKHAWAT

Present : Mr. Sartej Singh Narula, Advocate
for the petitioner.

Mr. Pawan Jhanda, Sr. DAG, Haryana.

N.S.SHEKHAWAT, J.

1. The petitioner has filed the instant petition under Section 483 of the BNSS 2023 with a prayer to grant a regular bail to him in case FIR No.14 dated 02.05.2024 registered under Section 420 of IPC at Police Station Cyber Crime, Rewari.

2. The FIR in the present case has been registered on the basis of the statement made by Ishwar son of Shri Hariom and the same has been reproduced below:-

*“To the SHO Sir, Cyber Crime, Police Station Rewari.
Subject: Complaint for taking legal action against the culprits who cheated and deceitfully grabbed Rs.13,40,102/- through WhatsApp chat from the complainant and the above amount should be given to*

the complainant. Sir, the complainant makes the following requests

1. That complainant Ishwar son of late Shri Hariom is a resident of house number 4135, Mohalla Shukpura Rewari tehsil and district Rewari.

2. That the complainant saw a post on the Instagram app of the complainant's mobile and upon clicking on the post, he joined for the purpose of business and consequently joined the Whatsapp group named "Wealth Driver 13". Thereafter the complainant continuously remained in touch with the said group and kept focusing on it.

3. That as the complainant was interested in the said end, the complainant talked to a mobile number 91-9630449784 who was the admin of the said WhatsApp through chat and he told that we connect people through our said business and provide a lot of income to them. On the assurance of the above-mentioned admin, I joined another group through the link sent by him, with name "VE Note Group 556", whose admin mobile holder number is 91-9179419609, whose name was revealed as Amelia Evans. After joining the link sent by him, I installed the link sent by him on my mobile phone and joined. Thereafter, I activated the demat account as per his instructions and thereafter, as per his instructions, I have transferred an amount of about Rs. 13,40,102/- from my bank account on different dates in the bank accounts provided by him, the details of which are as follows:

Account holder name Ishwar- Account number 20265150477 IFSC code SBIN0031413 Branch SBI

Circular Road Rewari. I also transferred to the following account:

1- On 12.03.2024, account holder name KM Global account number 258888327862 IFSC Code INDB0000725 Branch Indusind Bank Amount: Rs 1.

2- On 13.03.2024, account holder name KM Global account number 258888327862 IFSC Code- INDB0000725 Branch IndusInd Bank Amount:- Rs 1 lakh.

3- On 14.03.2024, account holder name KM Global account number 258888327862 IFSC Code-INDB0000725 Branch IndusInd Bank Amount:- Rs 2 lakh 1 hundred.

4. On 15.03.2024, account holder name KM Global account number 409002226072 IFSC code- INDB0000725 Bank Name Ratnakar Bank Limited Amount:- Rs 1.

5- On 15.03.2024 Account holder name KM Global Account number 409002226072 IFSC Code INDB0000725 Bank Name Ratnakar Bank Limited Amount: Rs 3 thousand.

6- On 15.03.2024 Account holder name KM Global Account number-409002226072 IFSC code INDB0000725 Bank Name Ratnakar Bank Limited Amount: Rs 47 thousand.

7- On 18.03.2024 Account holder name KM Global Account number-409002226072 IFSC code INDB0000725 Bank Name Ratnakar Bank Limited Amount:- Rs 1 lakh 15 thousand.

8- On 18.03.2024 Account holder name KM Global Account Number-409002226072 IFSC Code

*INDB0000725 Bank Name Ratnakar Bank Limited
Amount Rs 42 thousand.*

*9- On date 22.03.2024 Account holder name KM Global
Account Number -409002226072 IFSC Code
INDB0000725 Bank Name Ratnakar Bank Limited
Amount:- Rs 40 thousand.*

*10- On date 26.03.2024 Account holder name KM
Global Account Number 409002226072 IFSC Code
INDB0000725 Bank Name Ratnakar Bank Limited
Amount: Rs 5 lakh.*

*11- On date 26.03.2024 Account holder name SR
Enterprise Account Number 258591595800 IFSC Code
INDB0000165 Bank Name IndusInd Bank, Bourivali
Mumbai Amount:- Rs 3 thousand.*

*12- As on 26.03.2024 Account holder name SR
Enterprise Account number 258591595800 IFSC code
INDB0000165 Bank name - IndusInd Bank, Bourivali
Mumbai Amount:- Rs 2 lakh.*

*13- As on 28.03.2024 Account holder name SR
Indraprise Account number 258591595800 IFSC code
INDB0000165 Bank name IndusInd Bank, Bourivali
Mumbai Amount:- Rs 90 thousand.*

*4. That later they started misleading me that the value of
your transferred amount has increased and which is
around Rs 52 lakh and upon which tax at the rate of 20
percent amounts to Rs 10 lakh. I should deposit the
above amount within 2 days, otherwise my account will
be freezed/blocked, on which I the applicant asked them
to deduct the above amount from the above profit. On
which he objected that this amount will not be deducted
from the said profit and I will have to pay this amount*

from my personal bank account only. On suspicion, I applied to withdraw the above amount, then due to "breach of account trading protocol account has been frozen"; the said amount got dishonored due to the above reason. From this it appears that all this fake action has been done by the above admin and the bank account holders in collusion with each other, in a well-planned manner, to trap me. I the applicant and many poor and unknown people are in their net, just for the fulfillment of their own desires and to cause undue benefits to themselves and to cause undue loss to applicants like me and others. Therefore, I request you by presenting this complaint that the hard earned money of the applicant amounting to Rs. 13,40,102/- be recovered from the above mentioned people and given to me and strict legal action be taken against the guilty persons so that the complainant can get justice. Sir, I would be highly grateful to you. Place Rewari Date SD-Ishwar".

3. Learned counsel for the petitioner contends that the petitioner was initially not named in the FIR nor there is any averment in the FIR, which even remotely connects him with the commission of the crime. The name of the petitioner surfaced for the first time in the disclosure statement of Harvinder, co-accused and such statement has weak evidentiary value. The complainant has alleged that he was joined as member of two Whatsapp groups, i.e., "Wealth Driver 13" and "VE Note Group 556", however, the petitioner was not even a member of any such groups. Further, at any point of time, there was no communication between the complainant and the petitioner. Even,

two phone numbers were found to be linked with the alleged crime, with whom, the complainant had contacted and the petitioner had neither operated nor used the said phone numbers. Even, the petitioner is not the bank account holder of any of the accounts, in which, the complainant had transferred the money. Thus, there were no transactions or link between the petitioner and the complainant in the present case.

4. Learned counsel for the petitioner next contends that the petitioner was not attributed any specific role and during the investigation, it was discovered that Abhishek @ Girdhar was the kingpin, who committed the fraud in the instant case. Further, the complainant has already entered into a compromise with the present petitioner vide compromise deed (Annexure P-8). By referring to the orders annexures P-3 to P-5, learned counsel submits that the co-accused Vikas Saini, Ashok Kumar and Tribhuvan have been granted the concession of bail in the present case. The petitioner was arrested in the present case on 25.02.2025 and is in custody since then. After completion of the investigation, the *challan* has already been presented against him.

5. On the other hand, learned State counsel has vehemently opposed the submissions made by the learned counsel for the petitioner on the ground that the petitioner is one of the main accused in the present case and cannot claim parity with co-accused, namely,

Vikas Saini, Ashok Kumar and Tribhuvan. Further, the petitioner is also involved in one more case of similar nature and the present petition deserves to be dismissed by this Court.

6. I have heard learned counsel for the parties and perused the record.

7. In the present case, the petitioner is stated to be in custody for the last five months and after completion of investigation, the challan has already been presented against him. Moreover, vide compromise deed (Annexure P-8), the petitioner has also entered into a compromise with the complainant of the present case. Three co-accused, namely, Vikas Saini, Ashok Kumar and Tribhuvan have been granted the concession of bail in the present case.

8. In view of the above, without commenting any further on the merits, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of the learned trial Court/Duty Magistrate/CJM concerned.

23.07.2025
amit rana

(N.S.SHEKHAWAT)
JUDGE

Whether reasoned/speaking : Yes/No
Whether reportable : Yes/No