

2025:PHHC:064435



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

CRM-M-22699-2025
Decided on: 13.05.2025

Hakam Singh

...Petitioner

Versus

State of Punjab

...Respondent

CRM-M-22924-2025

Jagtar Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Aman Pal, Advocate and
Ms. Swati Katoch, Advocate
for the petitioner(s).

Mr. Sukhwinder Singh Rai, DAG, Punjab.

Mr. Satvir Singh, Advocate and
Mr. Kanwaljeet Singh, Advocate for the complainant.

ANOOP CHITKARA, J.

FIR No.	Dated	Police Station	Sections
3	24.01.2025	Cyber Crime Sangrur, District Sangrur	406, 420, 467, 506 & 120B IPC

CRM-19712 & 19714-2025

Since the main matters have been heard and is being decided in even date, no orders are required to pass in the present applications and the same are disposed of accordingly.

CRM-19713 & 19715 of 2025

Allowed, as prayed for.



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Documents at Annexures P-8 to P-10, are taken on record.

Main cases

1. This order shall dispose of two petitions as mentioned above. For the sake of brevity, facts have been taken from ***CRM-M-22699-2025 titled as Hakam Singh vs. State of Punjab.***
2. The petitioner(s) incarcerated in the FIR captioned above had come up before this Court under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, [BNSS], seeking regular bail.
3. As per their respective petitions, petitioner(s) have no criminal history.
4. The facts and allegations are being taken from the reply filed by the State, which reads as follows:

“That the brief facts of case/FIR no. 03 dated 24.01.2025 u/s 408,420,467,506,120-B IPC P.S. Cyber Crime Sangrur are that Ashok Kumar son of Shri Prakash Chand, resident of Sunami Patti Longowal submitted application PGD No. 390559 to the SSP, Sangrur and inquiry into the said application was conducted by the then DSP (Detective), Sangrur. The Inquiry Officer mentioned in his inquiry report no. 1370/5P/DSP (D), Sangrur dated 19.08.2024 that it seems no reality that the password of ID's of Ashok Kumar are with Jagtar Singh etc of opposite party. So, the application should be consigned to the record.

Thereafter, Ashok Kumar son of Shri Prakash Chand, resident of Sunami Patti Longowal submitted application bearing PGD-ID 451166 against 1) Tahir Hussain M. 98722-22208 c/o Mohd. Danis S/o Khurshed, House no. 129 Lajpat Nagar, Yamuna Enclave Zirakpur 2) Jagtar Singh Nehal son of Karnail Singh (3) Sandeep Kaur Nehal wife of Jagtar Singh Lehal 4) Preetkamal Singh alias Perry son of Jagtar Singh Nehal resident of Gobind Vihar Colony, Longowal (Sangrur) (5) Jeevan Kumar son of Madan Lal, resident of Ubhawal (Sangrur) (6) Hakam Singh son of Mela Singh, resident of Shahpur Road, Longowal (Sangrur) 7) Davinder Singh resident of Sonipat, (Haryana) before the ADGP, Punjab for defrauding the complainant and his family members for approximately of Rs. 26 crores 67 Lakh rupees by the accused persons. The ADGP, marked the said application to the SSP, Sangrur and the SSP, Sangrur got the inquiry



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conducted through Deputy Superintendent of Police (Operation and Security), Sangrur and the Inquiry Officer submitted its report No. 96/5P/DSP/(O&S) Sangrur dated 24.01.2025 that during the inquiry, the statements of witnesses namely Kamalpal Singh son of Karam Singh, Lovjit Singh son of Pal Singh, Ranveer Singh, son of Balwant Singh, Mela Singh son of Diljit Singh, Sambodh Jain son of Prem Kumar, Balwinder Singh son of Bhola Singh, Lovely Singh son of Darbara Singh, Balveer Singh son of Dalbara Singh, Rohit Singh son of Teja Singh, Balwant Singh son of Sohan Singh, Parwinder Singh son of Karamjit Singh, Balwinder Singh son of Paramjit Singh, Avtar Singh son of Hakam Singh, Ranjit Singh son of Joginder Singh, Gurdarshan Singh son of Mahinder Singh, Jagdev Singh, son of Amar Singh, Lovepreet Singh son of Major Singh, Hardeep Singh son of Bahadur Singh residents of Longowal, Jaipal son of Satpal Singh, Sandeep Jindal son of Satpal resident of Sunam, Simranjit Singh son of Gursewak Singh, Harbans Singh son of Sher Singh, Pragat Singh son of Karnail Singh, Gurpreet Singh son of Nachattar Singh, Najam Singh son of Dalip Singh and Jagtar Singh son of Hakam Singh residents of Mander Kalan, were recorded and also obtained record regarding account detail of different banks and transaction records related to coins purchased from Mether Company and on examining the pen drive presented by complainant containing voice recordings between Ashok Kumar (complainant) with Jagtar Singh etc and from the entirety of facts, it has been found that Ashok Kumar by withdrawing Rs. 2,46,04,650/- in cash (including Rs. 1,04,650 transferred by Ashok Kumar (complainant) through NEFT from his account number 0754000101115658 to the HDFC Bank account No. 5020005341255 of accused Devinder Singh Sonipat Haryana) from his bank accounts and he after selling the remaining of rice from his sheller's fodder got Rs. 1,06,92,000/- in cash and borrowed Rs. 1,62,50,000/- from other peoples and paid all the amount to Jagtar Singh etc, however, Jagtar Singh son of Nahar Singh, Sandeep Kaur wife of Jagtar Singh, Preetkamal @ Perry (son of Jagtar Singh), Hakam Singh (son of Mela Singh) residents of Longowal, Jeevan Kumar (son of Madan Lal) resident of Ubhawal, Tahir Hussain Mob. 98722-22208 c/o Mohd. Danis S/o Khurshed, House no. 129 Lajpat Nagar, Yamuna Enclave Zirakpur, and Davinder Singh resident of Sonipat took advantage of Ashok Kumar and his family's they persuaded them to buy coins in Mether Group Company, by taking undue



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advantage of their trust. With the clever manipulation, dishonesty, and a well-thought-out conspiracy, they collected a total of Rs. 5,15,46,650/- (five crore fifteen lakh forty-six thousand six hundred fifty rupees) from Ashok Kumar and his family for purchasing M-coins from Mether Company. They issued fake receipts for the coins but did not provide the receipts for the total amount, so received with fraudulent intent, they blocked the ID's of Ashok Kumar and his family members. The Inquiry Officer further recommended that a case should be registered u/s 406, 420, 467, 506, and 120-B IPC against Jagtar Singh, Sandeep Kaur, Preet Kamal @ Perry, Hakam Singh, Jeevan Kumar, Tahir Hussain c/o Mohammad Danish and Davinder Singh. Inquiry Officer, further submitted that during the investigation, if any other individuals are found guilty, they should also be named in the case and appropriate action would be taken accordingly. The SSP, Sangrur approved the said report submitted by the DSP (O&S), Sangrur on 24.01.2025 and directed to the SHO, P.S. Cyber to register case and investigate. Accordingly, the present FIR was registered against the present petitioner and his above said 6 persons. It is submitted that the detailed contents have been mentioned in the FIR attached as Annexure P-1 by the petitioner and same are not repeated for the sake of brevity.”

5. The petitioners' counsel submits that if their account is de-frozen, they would deposit the amount whichever recovered by them by way of seizure of accounts, subject to the M-coins with the investigator without conceding and admitting. He further prays for bail by imposing any stringent conditions and contends that further pre-trial incarceration would cause an irreversible injustice to the petitioners and their family.

6. The State's counsel opposes bail and refers to the reply.

7. It would be appropriate to refer to the following portions of the reply, which read as follows:

“The role of the petitioner

The role of the petitioner in the commission of present offence is that one Baljinder Singh r/o Barnala told co accused Jagtar Singh about the METHER COMPANY and Baljinder Singh used to tell him about the online profits in the Mether company. On the instigation of Baljinder Singh, Jagtar Singh joined the Mether company and he saved money from household expenses and started investing it in the Mether company on the



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asking of Baljinder Singh a resident of Barnala, had also created an ID of Jagtar Singh in the Mether company. The dollars in lieu of rupees, were purchased, these dollars were first invested in DOLLER I (INDEX) and then the dollars were converted into M coins. Petitioner Hakam Singh of village Longowal, had a relationship with Jagtar Singh and petitioner Hakam Singh also used to invest money in the Mether company. He and Ashok Kumar, resident of Longowal, are classmates of the same school and Ashok Kumar has been included in the friend's company by Hakam Singh and he has created his ID HAKAMRATOL and he has also created the ID of his daughter Gagandeep Kaur, son-in-law Navjot Singh under his ID and Hakam Singh has also created the ID of Ashok Kumar's wife Reena Rani. Ashok Kumar's own ID, Ashok Kumar's son Rahul Garg, Ashok Kumar's daughter Minakshi and Sanjeev Kumar (brother-in-law of Ashok). Hakam Singh (present petitioner) in connivance with his other co-accused obtained an amount of Rs 5,15,46,650/- from the complainant under the pretext that the amount so invested by the complainant will be doubled with in two years. However, neither the petitioner did give any profit nor returned the said amount to the complainant and thus, defrauded the said amount. So, the petitioner has played a specific role in the commission of present offence.”

REASONING:

8. Given the undertaking by the petitioner(s) that they will deposit the alleged amount after de-freezing, with the trial Court, no ground is made out to deny them bail. There is sufficient prima facie evidence connecting the petitioners with the alleged crime. However, pre-trial incarceration should not be a replica of post-conviction sentencing. Per paragraph 16 of the bail petition(s), the petitioner(s) have been in custody since 24.01.2025 and accordingly their custody is approximately 03 months & 12 days. Given the penal provisions invoked viz-a-viz pre-trial custody, coupled with the prima facie analysis of the nature of allegations, and the other factors peculiar to this case, there would be no justifiability for further pre-trial incarceration at this stage.

9. Without commenting on the case's merits, in the facts and circumstances peculiar to this case, and for the reasons mentioned above, the petitioners make a case for bail. This order shall come into force from the time it is uploaded on this Court's official webpage.

10. Given above, provided the petitioners are not required in any other case, the petitioners shall be released on bail in the FIR captioned above subject to furnishing bonds to the satisfaction of the concerned Court and due to unavailability before any nearest Ilaqa Magistrate/duty Magistrate. Before accepting the surety, the concerned Court must be satisfied that if the accused fails to appear, such surety can produce the accused.

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11. While furnishing a personal bond, the petitioners shall mention the following personal identification details:

1.	AADHAR number	
2.	Passport number (If available) and when the attesting officer/court considers it appropriate or considers the accused a flight risk.	
3.	Mobile number (If available)	
4.	E-Mail id (If available)	

12. This order is subject to the petitioners' complying with the following terms.

13. The petitioner(s) shall abide by all statutory bond conditions and appear before the concerned Court(s) on all dates. The petitioner(s) shall not tamper with the evidence, influence, browbeat, pressurize, induce, threaten, or promise, directly or indirectly, any witnesses, Police officials, or any other person acquainted with the facts and circumstances of the case or dissuade them from disclosing such facts to the Police or the Court.

14. This bail is conditional, and the foundational condition is that if the petitioner(s) indulges in any non-bailable offense, the State may file an application for cancellation of this bail before the Sessions Court, which shall be at liberty to cancel this bail.

15. Any observation made hereinabove is neither an expression of opinion on the case's merits nor shall the trial Court advert to these comments.

16. A certified copy of this order would not be needed for furnishing bonds, and any Advocate for the Petitioner(s) can download this order along with case status from the official web page of this Court and attest it to be a true copy. If the attesting officer wants to verify its authenticity, such an officer can also verify its authenticity and may download and use the downloaded copy for attesting bonds.

17. **Petitions allowed** in terms mentioned above. All pending applications, if any, stand disposed of.

(ANOOP CHITKARA)
JUDGE

13.05.2025
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Whether speaking/reasoned: Yes
Whether reportable: No.