



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

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**CRM-M-45118-2024 (O&M)  
Date of Decision:- 04.04.2025**

GYAN CHAND

....Petitioner(s)

Versus

STATE OF HARYANA

...Respondent(s)

**CORAM: HON'BLE MR. JUSTICE SANJIV BERRY**

Present:- Mr. Lalit Pardhan, Advocate for the petitioner.

Mr. Surender Singh, A.A.G. Haryana.

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**SANJIV BERRY, J. (ORAL)**

The instant petition has been preferred by the petitioner under Section 439 CrPC for grant of regular bail to the petitioner in the following case :-

<b>FIR No.</b>	<b>Dated</b>	<b>Sections</b>	<b>Police Station</b>
33	26.11.2023	420, 120-B and 204 IPC	Cyber Crime, Kurukshetra, District Kurukshetra

2. It is, *inter alia*, contended by learned counsel for the petitioner that the petitioner is innocent and has been falsely implicated in this case. He contends that the petitioner is having no concern with the allegations levelled in the FIR nor has he participated in the alleged transaction. He contends that there is nothing on record that the petitioner had ever cheated the complainant or received any amount from him by way of any fraud. He



further contends that the allegations against the petitioner of being the operator of the bank account pertaining to one Manish are baseless and planted. He submits that the co-accused Sagar, who had named the petitioner, has since been granted the concession of bail by this Court vide order dated 08.11.2024 passed in CRM-M-16620-2024. He further submits that the petitioner is not having any criminal antecedents and is in custody since 14.06.2024. Challan has already been presented in Court and the conclusion of trial will take sufficient long time. Thus prays for grant of concession of bail to the petitioner.

3. *Per contra*, learned State counsel while referring to the status report filed by the State has opposed the petition by arguing that the petitioner was a part of the gang indulging in cyber crime and causing huge loss to the innocent citizens. He contends that the ATM card pertaining to the bank account of Manish has been recovered from the possession of the petitioner, which shows that he was operating the same as well. He has, however, not disputed the fact that co-accused Sagar has since been granted the concession of bail.

4. Heard learned counsel for the parties and perused the record.

5. After considering the rival contentions and perusing the record, it is observed that as per the allegations levelled by the prosecution, the petitioner had been operating the bank account of one Manish, which was got opened through co-accused Sagar. The ATM card of the bank account was allegedly recovered from the petitioner along with ₹20,000/- in cash when arrested on 14.06.2024 and after the completion of investigation,



challan has been presented in Court, which is triable by the Court of Magistrate, wherein the prosecution has cited 48 witnesses and till date none has been examined. Moreover, similarly situated co-accused Sagar has already been granted the concession of bail. The criminal liability, if any, of the petitioner, could only be determined after the conclusion of trial, which may take sufficient long time. In the circumstances, no purpose would be served by detaining the petitioner any longer.

6. Consequently, without commenting on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of learned Trial Court/Judge on Duty/Duty Magistrate concerned, if not required in any other case; undertaking to regularly appear on each and every date; not to leave the country without prior permission of the Court; and not to tamper with evidence of prosecution in any manner.

7. Any observation made above shall not be construed as opinion of this Court on the merits of the case.

8. Pending miscellaneous application(s), if any, stands disposed of.

**(SANJIV BERRY)**  
**JUDGE**

**04.04.2025**

*S.Sharma(syr)*

i)	Whether speaking/reasoned?	Yes/No
ii)	Whether reportable?	Yes/No