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IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CRM-M-34746-2025 (O&M)  
DECIDED ON: 25.07.2025

PANKAJ GUPTA

.....PETITIONER

VERSUS

STATE OF HARYANA

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Mukul Goyal, Advocate for the petitioner.

Ms. Mayuri Lakhanpal Kalia, DAG, Haryana.

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SANDEEP MOUDGIL, J (ORAL)**1. Prayer**

The jurisdiction of this Court has been invoked under Section 483 of BNSS, 2023 for seeking the concession of regular bail in FIR No.14 dated 24.06.2021 (Annexure P-1), Under Sections 406, 419, 420, 467, 471, 201, 120-B IPC registered at P.S. Cyber Crime, Rewari.

2. Prosecution story set up in the present case as per the version in the FIR as under:-

*“To Respected SHO Sahib, Cyber Police Station Rewari.  
Subject: Regarding fraud of Rs. 112550. Sir, it is submitted that I Baljeet Singh son of Shri Om Parkash is a resident of Village Rozuvas. I got a call on 16.06.2021 from Nikhil Kumar from JO company whose mobile number is 7354575670, who told me about the mobile tower scheme and told me the total expense as Rs.50000. On 16.06.2021, Nikhil Kumar took Rs. 1750/- as form fee from me through phone pay on mobile no. 9418505112. Thereafter, I got a call*



*from Nikhil's boss Rajesh Chaudhary, whose mobile number is 8602657566 and took NOC certificate fee of Rs. 23500/- from me through PHONE PAY on 17.06.2021 whose PHONE PAY number is 9418505112. Thereafter, on 18.06.2021, I got a call from Rajesh Chaudhary and he took PTF FEE of Rs. 19800/-from me through PHONE PAY on 9418505112. Thereafter, on 19.06.2021, I got a call from Rajesh Chaudhary and he took TDS FEE of Rs. 30000/-from me through PHONE PAY on 9418505112. This fee was deposited from 9466225523 through PHONE PAY on 9418505112. After this, on 21.06.2021, I got a call from Rajesh Chaudhary and he made me deposit HARYANA GOVT. TAX RS. 37500/- through PHONE PAY on 9418505112. Thus the total amount of Rs. 112550/- has been deposited through Phone Pay. The PHONE PAY number is 9418505112, which is in the name of Pankaj Gupta. Pankaj Gupta's AXIS ACCOUNT No. is 919010078845845 and IFSC CODE is-UTIB0002062. I have been defrauded of Rs. 112550. Please help me. I will be highly grateful to you. Thanking you. Applicant Baljeet Singh. MOB No. 9050134063.'*

**2. Contentions:**

**On behalf of the petitioner**

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case. Learned counsel further argue that a recovery of Rs. 80000/- has been effected from co-accused Dheeraj who has already been granted concession of regular bail vide order dated 18.10.2022 passed in CRM-M-42482-2021. He has argued that in the present case, the investigation has already been completed, the challan has been presented before the Court, and no recovery remains to be effected from the petitioner.

**On behalf of the State/complainant**

Learned State Counsel has submitted the custody certificate of the petitioner, which is hereby taken on record. As per the details mentioned in the certificate, the petitioner has been in judicial custody for a period of 3 months and 4 days.

The Learned State Counsel has strongly opposed the prayer made in the present petition. It is contended that the petitioner, in active collusion with other co-accused persons, was engaged in withdrawing money from bank accounts and is allegedly involved in a serious offence of cyber fraud. It is further submitted that the investigation has been concluded and the final police report (challan) has recently been filed before the competent court on 31.05.2025. Considering the gravity of the allegations and the stage of the proceedings, it is argued that the petitioner's custody of merely 3 months and 4 days is not sufficient ground for granting any relief at this stage.

**4. Analysis & Conclusion**

In the present case, the allegations against the petitioner are serious and grave in nature and his active role as reflected in the police report wherein the entire defrauded amount was transferred into his account and withdrawn in collusion with the co-accused it is evident that he is prima facie involved in a serious offence of cyber fraud. The fact that the petitioner remained absconding in the FIR registered in the year 2021 further reflects adversely on his conduct. Moreover, the trial is yet to commence and considering that the petitioner has undergone custody of only 3 months and 4 days, no exceptional or compelling circumstances have been brought on record to warrant the grant of regular bail. The possibility of the petitioner influencing witnesses or interfering with the course of justice also cannot be ruled out.



The Court while considering the bail petitions is conscious that personal liberty has to be weighed and balanced with societal/public interest at large, and ensure that the course of justice is not thwarted by the powerful and influential accused persons.

In view of the foregoing circumstances, the nature and seriousness of the allegations, this Court is of the considered opinion that the petitioner does not deserve the concession of regular bail at this stage. Accordingly, the present regular bail petition stands dismissed being devoid of merit.

**(SANDEEP MOUDGIL)**  
**JUDGE**

**25.07.2025**  
*Anuradha (a)*

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