



CRM-M-30889-2025

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

266

CRM-M-30889-2025

Date of decision: 4<sup>th</sup> July, 2025

Maninder @ Monu

...Petitioner

Versus

State of Haryana and another

...Respondents

**CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA**

Present: Mr. S.C. Thatai, Advocate for the petitioner.  
Mr. Neeraj Poswal, Assistant Advocate General, Haryana.  
Mr. Sunil Dahiya, Advocate for the complainant.

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**MANISHA BATRA, J (ORAL):-**

The present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the petitioner seeking grant of regular bail in case bearing FIR No. 52 dated 29.12.2024 registered under Sections 318(4) of Bharatiya Nyaya Sanhita, 2023 (for short 'BNS') (Sections 238, 338, 336(3) and 340(2) of BNS added later on) at Police Station Cyber Crime, Fatehabad, District Fatehabad.

2. As per the allegations, on 2/3.11.2024, some unknown persons made a call on the cellphone of the complainant and represented to him that Jindal Tower Corporation Company had approved a proposal for installation of a mobile tower in the land of the company. He allured the complainant by saying that there were many benefits of such installation and induced him to give his consent for such installation. On the pretext of installation of a mobile tower in his land, the petitioner was induced to transfer an amount of Rs. 2,93,600/- in different bank accounts, on the asking of the persons, who made calls to him on the next some days. On 24.12.2024, the petitioner



received on his *WhatsApp* certain photographs of ship tickets, generator sets and material regarding installation of the tower and uploading of the same on a truck and he was asked to deposit another amount of Rs. 60,000/- on the pretext that the officers from the tower company were coming from Bangalore to convene a meeting with the complainant. Having realised that he had been duped of his money and fraud was committed with him, the complainant prayed for taking action.

3. After registration of FIR, investigation proceedings were initiated. During investigation, details of bank accounts and call details of the phone through which calls were made to the complainant had been collected. The petitioner and co-accused Ajay @ Bhallu were nominated as an accused persons and were arrested on 23.01.2025. They suffered disclosure statements, on the basis of which, co-accused Ajay was also nominated as such. Investigation now stands completed.

4. It is argued by the learned counsel for the petitioner that he has been falsely implicated in this case. Investigation stands concluded. Trial will take time. A compromise has been effected between the complainant and himself and the complainant has sworn an affidavit with regard to the same. The petitioner is in custody since long. His custodial interrogation is no more required. The subject offenses are triable by Magistrate. No useful purpose would be served by keeping him in custody anymore. With these broad submissions, it is urged that he deserves to be released on bail.

5. Notice of motion.

6. Learned State counsel has advance notice of the petition and has filed custody certificate. At this stage, Mr. Sunil Dahiya, Advocate has put



in appearance on behalf of the complainant and has filed his *Vakalatnama*. He has affirmed the factum that the affidavit Annexure P-3 has been sworn by the complainant and a compromise has been effected between the parties. It is, however, argued by learned State counsel that keeping in view the gravity of the allegations as leveled against the petitioner, he does not deserve to be extended benefit of bail.

7. I have heard learned counsel for the parties at considerable length and have gone through the record carefully.

8. The petitioner, in connivance with the co-accused, is alleged to have cheated the complainant on the pretext of installation of a mobile tower in his agricultural land. He is also alleged to have duped him of an amount of Rs. 2,35,600/-. He has been in custody since 2021. Trial is likely to take time to conclude. No useful purpose would be served by keeping him in custody anymore. It is a well-settled proposition of law that bail is the rule and jail is an exception. Keeping in view the period of incarceration of the petitioner, the nature of subject offence, and the attendant facts and circumstances of the case but without meaning to make any comment on the merits thereof, I am of the considered opinion that the petition deserves to be allowed. Hence, the same is allowed and the petitioner is ordered to be released on bail subject to his furnishing personal/surety bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.

7. Since the main petition has been allowed, pending application, if any, is rendered infructuous.

**[MANISHA BATRA]**  
**JUDGE**

**4<sup>th</sup> July, 2025**

*Parveen Sharma*

1. *Whether speaking/ reasoned*  
2. *Whether reportable*

: *Yes / No*  
: *Yes / No*