

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CRM-M-27347-2025  
Reserved on: 09.07.2025  
Pronounced on: 31.07.2025

Jiwan Kumar

...Petitioner

Versus

State of Punjab and another

...Respondent

**CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA**

Present: Ms. Eknor Kaur Gill, Advocate  
for the petitioner.

Mr. Akshay Kumar, AAG, Punjab.

Mr. Satvir Singh, Advocate,  
for respondent No.2.

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**ANOOP CHITKARA, J.**

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

1. The petitioner apprehending arrest in the FIR captioned above has come up before this Court under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, [BNSS], seeking anticipatory bail.

2. As per paragraph 19 of the bail petition, the petitioner declares that has no criminal antecedents.

3. The facts and allegations are being taken from status report filed by the State, which reads as follows:

*“2. That the brief facts of case/FIR No.03 dated 24.01.2025 under sections 406, 420, 467, 506, 120-B IPC, Police Station, Cyber Crime, Sangrur are that Ashok Kumar son of Shri Prakash Chand, resident of Sunami Patti Longowal submitted application PGD No.390559 to the Senior Superintendent of Police, 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-xxxx c/o Mohd. Danis son of Khursheed, 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) Jiwan Kumar (now present petitioner) 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 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 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 Karmail 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 075400010xxxx to the HDFC Bank account No. 5020005xxxx of accused Davinder 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, Jiwan Kumar (son of Madan Lal) resident of Ubhawal, Tahir Hussain Mob: 98722-xxxx c/o Mohd. Danis S/o Khursheed, 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 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 and fifty rupees) from Ashok Kumar and his family for purchasing M-coins from Mether Group 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, Jiwan Kumar, Tahir Hussain c/o Mohammad Danish and Davinder Singh of Sonipat. The 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 inquiry report submitted by the DSP (O&S), Sangrur on 24.01.2025 and directed to the SHO, P.S., Cyber Sangrur to register the case and investigate. Accordingly, the present FIR was registered against the Jiwan Kumar (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.”

4. The petitioner’s counsel submits that the allegations against the petitioner are false

and baseless; the petitioner has no direct or indirect involvement in the company's financial operations and has never even met the complainant. He further submits that neither the petitioner contacted the complainant nor any attempt was made to influence complainant to make any investments in the company and the petitioner has no financial gain from investments made by the complainant. The petitioner is not the recipient of a single penny in the present FIR and there is no allegations against him of receiving any amount or entrustment of any nature. He further submits that the present dispute is purely civil in nature. He further submits that earlier also one complaint was given by the complainant against the petitioner on the same allegations and in that complaint after thorough investigation, the allegations was found baseless. There is unexplained delay in registration of FIR as the allegations pertains to dispute arising in the year 2021-2022, whereas, the FIR has been registered in the year 2025.

5. The petitioner's counsel prays for bail by imposing any stringent conditions and contends that pre-trial incarceration would cause an irreversible injustice to the petitioner and his family.

6. The petitioner's counsel submits that the petitioner would have no objection whatsoever to any stringent conditions that this Court may impose, including that if the petitioner repeats the offense or commits any non-bailable offense which provides for a sentence of imprisonment for more than seven years, the State may file an application to revoke this bail before the concerned Court having jurisdiction over this FIR, which shall have the authority to cancel this bail, and may do so at their discretion, to which the petitioner shall have no objection.

7. The counsel for respondent No.2 opposes bail.

8. The State's counsel opposes bail and refers to the status report.

**REASONING:**

9. Before proceeding further, it would be appropriate to reproduce para 8 of the status report, which reads as follows:

*"8. That it is worth mentioning here that Vinay Kumar (Manager)/an authorized employee of Methar ITES Group, had filed an application No. 1248-CAS dated 30.10.2024 with SHO, P.S., Sector 56, Gurugram against Ashok Kumar (complainant) and his family members that the complainant and his family had invested US\$ 5,14,479 in their company, however, the said amount seems suspicious, as they had not submitted any documents regarding the authenticity of the payment. During the course of investigation, relevant record regarding the said application was obtained from SHO, P.S. Sector-56 Gurugram and perusal of which, reveals that the said application was withdrawn by Vinay Kumar (applicant) and on the basis of which, the said application was consigned to the record by the SHO, P.S. Sector -56, Gurugram on 17.11.2024. It is self-explanatory from the said application filed by Vijay Kumar (Manager) and inquiry conducted by SHO, P.S. Gurugram that Ashok Kumar had indeed invested US\$ 5,14,479 in the said company, but on the*

*one hand Ashok Kumar's IDs were blocked and on the other hand after blocking the IDs, the said company filed the said application to create a defence in their favour."*

10. Pursuant to detailed order passed by this Court on 19.05.2025, the investigation is going on and as per the State counsel steps have been taken to recover proceeds of crime.

11. Considering the multiple level transactions and the crypto currency is involved, investigation is likely to take sufficient time. It is not a case where the complainant was unaware of purchase of crypto currency or digital coins but they were expecting the returns beyond what they actually got or in comparison to the other crypto currency. Some of the main accused have already been arrested.

12. It shall be appropriate to refer to para 11 (e & g) of the status report which reads as follows:

*"E. The evidence based on which the petitioner was arraigned as an accused.*

*During investigation, statements of witnesses were recorded (as per detail given above), documents presented by the complainant were perused and it was found that accused/petitioner Jiwan Kumar (Director), Hakam Singh (Member), Sandeep Kumar (Executive), Preetkamal Singh Nehal (Director) and their co-accused Jagtar Singh (Director Executive), Tahir Hussain c/o Mohammad Danish (Asia Head) and Davinder Singh Sonipat (Member) were working in the Mether Group Company and all the accused persons in connivance with each other under a well planned conspiracy of grabbing money from the gullible persons, in a fraudulent manner, used to obtain huge amount of rupees in Indian Currency and then they used to purchase Dollers in lieu of rupees in Indian Currency and then they used to purchase Dollers in lieu of Indian currency and then used to convert the dollars into M-coins and used to give assurance to the persons, from whom they took rupees, that you can withdrew the amount/dollers after two years with profit.*

*After completing the period of two years, Ashok Kumar (complainant) made four entries of Rs.10 lakh each to withdraw his amount from the said Mether Company, however, one entry of Rs.10 lakh was succeeded and remaining three entries were not succeeded because of blocking of Id's of complainant and his family on dated 12.06.2024 by the accused persons for their profit sake. In this way, accused/petitioner Jiwan Kumar (Director), Hakam Singh (Member), Sandeep Kaur and Preetkamal @ Preety and their co-accused with the clever manipulation, dishonesty and a well-thought-out conspiracy, they collected a total of Rs.5,15,46,650/- from Ashok Kumar and his family for purchasing M-coins from Mether Company, under the pretext that the amount so invested by the complainant will be doubled within two years. They issued 12 fake receipts. With fraudulent intent, they blocked the ID's of Ashok Kumar and his family members. However, neither the petitioner and his other co-accused did give any profit nor returned the said amount to the complainant and thus, defrauded the said amount.*

*F. xx xxx*

*G. The role of the petitioner*

*The role of the petitioner in the commission of present offence is that accused Jagtar Singh, Hakam Singh, Sandeep Kaur wife of Jagtar Singh, Preetkamal @ Perry, Jiwan Kumar (present petitioner) son of Madan Lal, Tahir Hussain and Davinder Singh (Sonipat), conspired to create a fake online Mether Company, 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 within two years. However, neither the petitioner and his other co-accused did give any profit nor returned the said amount to the complainant and thus, defrauded the said amount. So, a specific role is attributed to the petitioner in the commission of present offence.”*

13. Undoubtedly, the petitioner was involved in the offence but the fact is that complainant is equally greedy and wanted the money to be doubled or triple through digital currency speculation.

14. Considering the fact that the investigation would take sufficient time in the present case which is already going on and the petitioner has undertaken to fully cooperate with the investigator there is no jurisdiction for custodial interrogation. As per paragraph 4 of the status report, the amount attributed to the petitioner is only Rs.2,73,000/- further paragraph 8 clarify that the investment made by the complainant is still with the company but his account is blocked, which shows that nothing is with the petitioner.

15. Pre-trial incarceration should not be a replica of post-conviction sentencing. The evidence might be prima facie sufficient to launch prosecution or to frame charges, but this Court is not considering the evidence at that stage but is analyzing it for the stage of anticipatory bail. An analysis of the above does not justify custodial interrogation or pre-trial incarceration.

16. Given the above, the penal provisions invoked 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 custodial interrogation or the pre-trial incarceration at this stage. Without commenting on the case's merits, in the facts and circumstances peculiar to this case, and for the reasons mentioned above, the petitioner makes a case for bail.

17. The investigation indicates that the petitioner is not the main accused, so the petitioner's bail shall not be treated as a precedent for granting bail to the other co-accused with a higher role.

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

19. While furnishing a personal bond, the petitioner shall mention the following personal identification details:

1.	AADHAR number	
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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)	

20. This order is subject to the petitioner's complying with the following terms.

21. The petitioner is directed to join the investigation within seven days of uploading this order on the official webpage of the High Court of Punjab and Haryana and as and when called by the Investigator. The petitioner shall be in deemed custody for Section 27 of the Indian Evidence Act, 1872/ Section 23 of BSA, 2023. The petitioner shall join the investigation as and when called by the Investigating Officer or any Superior Officer and shall cooperate with the investigation at all further stages as required. In the event of failure to do so, the prosecution will be open to seeking cancellation of the bail. During the investigation, the petitioner shall not be subjected to third-degree, indecent language, inhuman treatment, etc.

22. The petitioner shall abide by all statutory bond conditions and appear before the concerned Court(s) on all dates. The petitioner 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.

23. In case the Investigator/Officer-In-Charge of the concerned Police Station arraigns another section of any penal offense in this FIR, and if the new section prescribes a maximum sentence that is not greater than the sections mentioned above, then this bail order shall be deemed to have also been passed for the newly added section(s). However, suppose the newly inserted sections prescribe a sentence exceeding the maximum sentence prescribed in the sections mentioned above; then, in that case, the Investigator/Officer-In-Charge shall give the petitioner notice of a minimum of seven days, providing an opportunity to avail the remedies available in law.

24. The significant consideration for granting bail is that the Court aims to give the petitioner another chance to course-correct, reform, and reintegrate into the community as an ideal citizen. To ensure that the petitioner also abides by the assurance made on the petitioner's behalf by not repeating the offence or indulging in any crime, it shall be desirable to impose the following additional condition.

25. This bail is conditional, with the foundational condition being that if the petitioner repeats the offense or commits any non-bailable offense which provides for a sentence of imprisonment for more than seven years, the State shall file an application to revoke this bail before the concerned Court having jurisdiction over this FIR, which shall have the

authority to cancel this bail, and as per their discretion, they may cancel this bail.

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

27. A certified copy of this order would not be needed for furnishing bonds, and any Advocate for the Petitioner 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.

28. **Petition allowed** in terms mentioned above. All pending applications, if any, stand disposed of. Complainant is liberty to file an application for cancellation of bail before the concerned trial Court which shall be competent to cancel the bail in case recovery of proceeds of crime which is attributed to the petitioner not effected during the investigation and not done.

**(ANOOP CHITKARA)**  
**JUDGE**

**31.07.2025**

Jyoti-II

Whether speaking/reasoned: Yes  
Whether reportable: No.