



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

223

CRM-M-24832-2025 (O&M)
Date of decision : 27.08.2025

Vishnu

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. D. S. Virk, Advocate
for the petitioner.

Ms. Himani Arora, DAG, Haryana.

MANISHA BATRA, J. (Oral)

1. The present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 by the petitioner seeking grant of regular bail in case bearing FIR No. 14 dated 31.01.2024 registered under Sections 420 and 120-B of IPC at Police Station Cyber Crime Ballabgarh, District Faridabad.

2. The aforementioned FIR was registered on the basis of a complaint submitted by the complainant Gaurav Chauhan alleging therein that he used to do stock trading at Zerodha App from the last few years. He also used to receive advertisements on his Instagram account. He had clicked on a link received by way of an advertisement. He had filled a form wherein he mentioned the details about the time since when he was engaged in trade and the amount of money invested by him. He was persuaded to join



a WhatsApp group titled as “Jonathan Simon Investwise Chronicals Club-214” “VIP 119 Wells Capital Business School Class”. There were several administrators of that group. He started receiving stock tips in this group on daily basis. He had earned good profits in the month of December, 2023. Thereafter, the organizers of this group persuaded him to join an institutional account. On being induced, he had clicked a link by downloading an App from the play store. The account was opened in that App. The group administrator had projected that the App was a genuine company and a license holder from SEBI. He was made to invest an amount of Rs.23,90,000/- and he was duped of the said amount by the administrators/organizers of the group/App in a planned manner.

3. After registration of FIR, investigation proceedings have been initiated. During investigation, the details of the beneficiary accounts were obtained. The IP addresses of the numbers from which WhatsApp messages were received were found to be that of China. One of such accounts was found to be opened at Indus Ind Bank by registering the mobile phone number of co-accused Pathan Shahrukh Khan. He was arrested on 05.12.2024. He suffered disclosure statement on the basis of which, it was revealed that he had handed over the mobile number and kit of the account so opened to co-accused Shakir and received a sum of Rs 30,000. During investigation, the present petitioner and co-accused Mahender, who were holders of the bank account No. 10163814668, opened at IDFC Bank, were also nominated as it was found that the petitioner had obtained complete kit of the aforementioned current bank account of Balaji E-Mitra Services from co-accused Mahender and had handed over the same to accused Ravi



Prakash Sharma for commission of cyber frauds. In lieu thereof, he had received a sum of Rs.10,000/-. He was already arrested in another case bearing FIR No. 19 dated 13.03.2024 at Police Cyber Crime, Sonipat. He was arrested on 04.01.2025 in this case by way of issuance of production warrant. He got recovered an amount of Rs.2,000/- and suffered disclosure statement admitting that he had handed over the kit of the aforementioned bank account to accused Ravi Prakash Sharma and received a sum of Rs. 35,000/- as commission, out of which, a sum of Rs. 25,000/- was given by him to co-accused Mahender. Investigation qua the petitioner stands completed.

4. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. He was not named in the FIR. There is no transaction in his bank account. He is a petty photographer hailing from a small village. He was not a beneficiary of any transaction. His arrest has been made on suspicion. He has been extended benefit of bail in other case registered against him. He is in custody since 04.01.2025. His further incarceration would not serve any useful purpose. Co-accused Pathan Shahrukh Khan has already been granted concession of regular bail by this Court, vide order dated 18.07.2025 passed in *CRM-M-15895-2025*. On the grounds of parity, the petitioner too deserves the same benefit. The subject offences are triable by the Magistrate. It is, therefore, urged that the petition deserves to be allowed.

5. Status report along with custody certificate have been filed. Learned Deputy Advocate General, Haryana has argued that keeping in view the gravity of the allegations levelled against the petitioner, he is not entitled



to get benefit of bail. Hence, it is urged that the petition is liable to be dismissed.

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

7. The petitioner is alleged to have hatched a conspiracy with the co-accused to commit cyber crime/online fraud. He is further alleged to have convinced co-accused Mahender to open a current bank account in IDFC Bank in the name of Balaji E-Mitra Services and is also alleged to have taken the kit of the same, which was handed over by him to co-accused Ravi Prakash Sharma for a sum of Rs.35,000/- and the said account had been used for duping the complainant of an amount of Rs.23,90,000/-. The subject offences are triable by the Magistrate. The petitioner is in custody since 04.01.2025. He is on bail in another similar case registered against him. Co-accused Pathan Shahrukh Khan has already been granted concession of regular bail by this Court as mentioned above. Trial would obviously take considerable time to conclude. It is well settled proposition of law that bail is the rule and jail is an exception. Keeping in view the above discussed facts and circumstances, the petition is allowed and the petitioner is ordered to be released on bail, subject to his furnishing personal bonds and surety bonds by **two sureties** to the satisfaction of the learned trial Court/Chief Judicial Magistrate/ Duty Magistrate concerned. He shall disclose his present as well as permanent address before the learned trial Court at the time of furnishing of bonds and shall also give copy of his Aadhar Card, PAN Card if any and details of his mobile phone number(s) to the learned trial Court and in case, any change in his address or mobile phone number(s) takes place, then he



shall inform about the same to the learned trial Court in advance. That apart, the petitioner shall also ensure his presence before the SHO, Police Station Cyber Crime, Ballabgarh, on the first Monday of every month till the conclusion of the trial.

8. On his failure to abide by any of these conditions, the learned trial Court will be at liberty to cancel his bail.

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

[MANISHA BATRA]
JUDGE

27.08.2025

Waseem Ansari

1. *Whether speaking/ reasoned* : Yes / No
2. *Whether reportable* : Yes / No