



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

208

CRM-M-30074-2025 (O&M)

Date of decision: 05.06.2025

Parveen

...Petitioner

VERSUS

State of Haryana

...Respondent

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present :- Mr. Deepak Kundu, Advocate for the petitioner(s).

Mr. Rahul Dev, Addl. AG Haryana

VINOD S. BHARDWAJ, J. (Oral)

1. The instant petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 for the grant of regular bail in case bearing FIR No.15 dated 19.03.2025, registered under Section 318(4), Sections 61(2), 3(5) added later on, of Bharatiya Nyaya Sanhita, 2023 at Police Station Cyber Crime, Hansi.

2. Briefly summarized, the facts of the present case are that the instant FIR has been registered on the statement of Randeep wherein he alleged that his wife Sunita had opened a bank account (No.10152550478) in IDFC First Bank in the name of Yuvika Enterprises. In June-2024, the complainant handed over the said Bank account to his friend-Deepak who required a current bank account for trading purposes. A *sim* card was also handed over by complainant-Randeep to the petitioner herein. It is alleged that in the month of December-2024, the complainant to know about some fraudulent transactions relating to cyber fraud that had been committed



though transactions made via bank account of his wife, hence, the instant FIR has been registered.

3. Learned counsel for the petitioner contends that the necessary ingredients to establish offence under Section 318 (4) the Bharatiya Nyaya Sanhita, 2023 are not made out. There has been no delivery of any property on the part of the complainant. He further contends that the true nature of relationship between the parties has been concealed. As a matter of fact, the petitioner was not known to the complainant-Randeep and they were introduced through one Deepak. It is averred that the petitioner has now been falsely implicated in the present FIR on the basis of false set of allegations and a fraudulent transaction, if any. He further submits that the petitioner has no other criminal antecedents and that the petitioner has already undergone actual custody for a period of 01 month and 2 days. The instant FIR has been got registered only to coerce the petitioner into settling down to various terms at the behest of the complainant. It is further submitted that the petitioner is in judicial custody and is no longer required for further investigation in the present case. Besides, the case is based on documentary evidence for which custodial interrogation of the petitioner would not be warranted. There is also no occasion for the petitioner to influence the witnesses or to tamper with the evidence that has already been collected.

4. Learned counsel for respondent-State, on the other hand, contends that the FIR in question was got registered on account of allegations of financial irregularities committed through the bank account of



the wife of the complainant. He however is not in a position to explain as to under what circumstances, the complainant had handed over the current account detail alongwith the *sim* card of his wife to Deepak and thereafter to the petitioner. He is also not able to refer to any evidence on the basis of which it may be assumed that any property belonging to the complainant has been taken over by the petitioner in a fraudulent manner.

5. I have heard the learned counsel appearing on behalf of the respective parties.

6. Taking into consideration the nature of allegations, the role attributed to the petitioner, his lack of criminal antecedent and also his period of custody, I deem it fit to allow the instant petition.

7. Accordingly, the instant petition is allowed and the petitioner is ordered to be admitted to regular bail subject to his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Illaqa Magistrate concerned.

8. The observation made hereinabove shall not be construed as an expression on the merits of the case and the trial Court shall decide the case on the basis of available material.

(VINOD S. BHARDWAJ)
JUDGE

05.06.2025

Mangal Singh

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