



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

105

CRM-M-52728-2025(O&M)

Date of Decision:18.09.2025

Yash

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present:- Mr. Sidhant Dhinga, Advocate for the petitioner.
(Through V.C.).

Ms. Himani Arora, D.A.G, Haryana.

Manisha Batra, J. (Oral).

1. The instant petition is the second petition filed under Section 482 of the BNSS seeking grant of anticipatory bail to the petitioner in case arising out of FIR No.221 dated 16.12.2024 under Sections 318(4) of BNS, (Sections 241 and 61(2) of BNS were added later on)registered at Police Station Cyber Crime, NIT Faridabad, Haryana. The previous petition filed by him seeking anticipatory bail had been dismissed on 09.04.2025

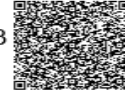
2. The aforesaid FIR was registered on the basis of a complaint lodged by one Sorabh Kumar, alleging that he was a victim of cyber crime and had been duped of amounts of ₹23,118/- and ₹25,515/- respectively. Investigation in the case is still in progress. During the



course of investigation, co-accused Arman Ansari was apprehended on 04.01.2025 and, on the basis of his disclosure statement, the present petitioner along with co-accused Ashish Karmarkar was nominated in the case. Co-accused Arman Ansari disclosed that, in conspiracy with the present petitioner and other accused persons, public persons were cheated as they used to induce the victims by representing to be bank employees and in the name of getting fresh credit cards issued.

3. The previous petition filed by the petitioner was dismissed by making the following observations:-

7. *The petitioner by hatching a conspiracy with the co-accused to cheat public person by committing online/cyber fraud by inducing public person to apply for free credit cards, and by using their bank account details is alleged to have caused wrongful loss to the tune of Rs.48,633/- to the complainant. For conducting thorough investigation in the matter, his custodial interrogation is required, the case is at its nascent stage. It is well settled proposition of law that the custodial interrogation is more elicitation oriented rather than questioning a suspect who is well ensconced with a favourable order of pre-arrest bail. No exceptional or extraordinary circumstance for extending benefit of pre-arrest bail has been made out in favour of the petitioner. Rather to unearth the truth, he is required to be interrogated. As such, it is held that petition*



does not deserve to be allowed. The same is accordingly dismissed.”

4. It is argued by learned counsel for the petitioner that he is a driver by profession and had been hired by co-accused Arman Ansari and provided porter services for delivering goods from one place to another for some remuneration. He was not aware of any fraudulent transaction and is not a beneficiary of the same. The petitioner is ready and willing to join the investigation. His custodial interrogation is not required, nor any recovery is to be effected from him. Accordingly, it is urged that the petitioner deserves to be granted the concession of pre-arrest bail.

5. Notice of motion.

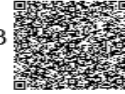
6. Learned State counsel, on advance notice of the petition, is ready to argue the matter. It is submitted that the previous bail petition filed by the petitioner was dismissed by passing a detailed order, and the petitioner has failed to demonstrate any substantial or material change in circumstances since the dismissal of the previous petition. It is further submitted that the custodial interrogation of the petitioner is essential for proper and thorough investigation of the case. The petitioner is stated to be one of the members of the larger chain of conspirators involved in cheating innocent members of the public. No exceptional or extraordinary ground for grant of pre-arrest bail has been made out. It is, therefore, urged that the present petition deserves to be dismissed.

7. This Court has heard rival submissions.



8. The petitioner by hatching a conspiracy with the co-accused had caused wrongful loss to the tune of Rs.48,633/- to the complainant. His previous petition making prayer for pre-arrest bail had been dismissed on 09.04.2025. This petition has been filed within four months from the date of dismissal of the previous petition by this Court. The well settled proposition of law that when successive bail applications come before the Court, the Court should be very cautious while considering the same. Successive bail applications can be entertained by the Court when some substantial change is established by the accused thereby making him entitled for grant of bail. Reference in this regard can be made to *State of Maharashtra Vs. Captain Buddhikota Subha Rao, AIR 1989 Supreme Court, 2292*, wherein it was observed so and it was further held that the Court should not pass an order of release of an accused on bail in successive bail application merely establishing some cosmetic change between time gap of two applications. There must be some drastic change during the period between two applications. Reference can also be made to *Kalyan Chandra Sarkar Vs. Rajesh Ranjan @ Pappu Yadav and another, (2004) 7 SCC 528*, wherein it was observed by Hon'ble Supreme Court that where the offence alleged against an accused is grave, bail cannot be granted only on the ground of long incarceration.

9. Keeping in view the above discussed facts, this Court is of the considered opinion that since there is no drastic or material change in the circumstances from the date of the dismissal of the previous



petition as such no ground is made out for allowing the petition.

Accordingly, the same is dismissed.

10. It is, however, clarified that observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

18.09.2025

shweta

**(MANISHA BATRA)
JUDGE**

Whether speaking/reasoned :

Yes/No

Whether reportable :

Yes/No