



**236 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-55154-2025

Date of decision : 08.10.2025

Kamal**.....Petitioner****versus****State of Haryana****..... Respondent****CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ**

Present :- Ms. Aiman J. Chishti, Advocate
for the petitioner.

Ms. Diya Sodhi, Senior DAG, Haryana.

RAJESH BHARDWAJ, J. (Oral)

1. Petitioner has approached this Court by way of filing the present second petition praying for grant of regular bail to him in case FIR No.08 dated 11.03.2025 under Sections 318(4) &61(2) of BNS Act, 2023, registered at P.S. Cyber Police Station Mahendergarh, District Mahendergarh, during the pendency of the present trial.

2. Succinctly, the facts of the case are that the FIR was registered in the present case on receiving a secret information to the effect that Kamal son of Jai Singh works as a member of a cyber fraud gang and received huge amount of money by defrauding. The police swung into action and the verification of Account No.924010063699823 opened in Axis Bank was conducted and a transaction was reflected in the same. The said bank account was frozen. During investigation, the complicity of the petitioner and that of the others was surfaced and thus, FIR was registered and investigation commenced. Petitioner was arrested on 12.03.2025. On completion of the investigation, challan was presented. Petitioner approached the learned Additional Sessions Judge, Narnaul



praying for grant of regular bail. However, the same was declined vide order dated 21.04.2025. Being aggrieved petitioner earlier approached this Court by way of filing CRM-M-23591-2025 however, the same was dismissed as withdrawn vide order dated 07.05.2025. Hence, this is the second petition praying for grant of regular bail.

3. It has been vehemently contended by learned counsel for the petitioner that the petitioner has been falsely implicated in the present case. She submits that the allegations against the petitioner are that a transaction of money found in his account however, the petitioner has fallen victim to the same. She submits that the recovery of ATM Cards and cheque books are from the co-accused and there was no recovery from the petitioner. She further submits that the petitioner has been made a scapegoat and he has no criminal antecedents because he has never been involved in any other case. She submits that the petitioner is behind bars from last about seven months. She submits that the investigation is complete, charges are framed but the trial is still in progress. Thus, she submits that in the overall facts and circumstances of the case, petitioner deserves to be granted the concession of regular bail.

4. Learned State counsel on the other hand has opposed the submissions made by learned counsel for the petitioner. She submits that the secret information was specifically qua the petitioner. She further submits that during investigation, the verification of the account was made which was found to be in the name of the petitioner. She submits that there are four other cyber complaints received against the petitioner. She further submits that there is no other FIR against the petitioner except the present one. She submits that though there are recovery of ATM Cards and



cheque books but not from the petitioner and the same are from the co-accused. She has placed on record the custody certificate of the petitioner. She, on instructions, has submitted, out of 06 prosecution witnesses, 02 witnesses already stands examined. She thus, submits that the petitioner does not deserve to be granted concession of regular bail.

5 After hearing learned counsel for the parties and perusing the record, it is deciphered that petitioner was arrested in the present case on 12.03.2025. Recovery of the ATMs and cheque books is effected from the co-accused and not from the petitioner. Custody certificate filed by the State counsel shows that petitioner has undergone 06 months and 25 days as on 06.10.2025. It further reflects that there is no other case pending against the petitioner. As submitted, out of 06 prosecution witnesses, 02 witnesses already stands examined.

6. The veracity of the allegations would be assessed only after conclusion of the trial and on the appreciation of evidence to be led by both the parties before the trial Court. The trial of the case will take sufficiently long time. However, keeping in view the overall facts and circumstances of the present case, this Court is of the opinion that learned counsel for the petitioner succeeds in making out a case for grant of regular bail. Accordingly, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate. Nothing said herein shall be treated as an expression of opinion on the merits of the case.

08.10.2025
m.sharma

(RAJESH BHARDWAJ)
JUDGE

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