HRPK010039072026

Presented on : 30-07-2026
Registered on : 30-07-2026
Decided on : 11-08-2026
Duration : 0 years, 0 months, 12 days

IN THE COURT OF
Additional Sessions Judge, At Panchkula
(Presided Over by Sh. Bikramjit Aroura)
BA/1005/2026

Kirpal Singh age 32 years son of Shri Badri Prasad resident of Village Nagala Ajeeta Agra, Loha Mandi, District Agra, Uttar Pradesh.

…. Petitioner.

Versus

State of Haryana .....Respondent

First petition under Section 483 of BNSS, 2023 for grant of regular bail.

FIR No.14 dated 31.01.2026
U/Ss:- 318 (4) and 61 (2) of BNS, 2023
Police Station Cyber Crime, Sector-20, Panchkula.

Present: Shri Sachin Gandhi, Advocate for the applicant-petitioner.
Shri Pardeep Sharma, Ld. Public Prosecutor for the State assisted by ASI Brijesh Kumar PS Cyber Crime Sector-20, Panchkula.

ORDER:

The petitioner has approached this Court to seek regular bail by moving first bail application under Section 483 Bhartiya Nayaya Suraksha Sanhita, 2023 (for short- "BNSS"), in FIR No.14 dated 31.01.2026, U/Ss:- 318 (4) and 61 (2) of BNS, 2023, Police Station

Cyber Crime, Sector-20, Panchkula.

2. Notice of the bail application was given to the State. Reply filed and copy supplied.

3. It has been conceded by both parties that no other bail application except the present application is presently pending, and the Ahlmad of the Court has also presented a similar report by verifying these facts from e-court site.

4. The prosecution case, in brief, is that complainant Rajan Mittal alleged that on 14.11.2025, while using Facebook on his mobile phone, he came across an investment-related post in the name of "Fyers". On clicking the said link, he was added to a WhatsApp group titled "Fyers Wealth Forum C-109", wherein investment tips were allegedly shared by different persons. Thereafter, one Neha Verma, through mobile No. 917383665383, allegedly contacted the complainant on WhatsApp and induced him to open a DMA account for share trading by downloading an application through a link shared in the group. It is further alleged that another mobile number, 918460475745, operating in the name of "Fyers DMA Support C-S 21", represented itself as customer service of Fyers Securities and guided the complainant regarding investment transactions. Acting upon the inducement and directions given through WhatsApp chats, the complainant and his wife allegedly transferred various amounts from their HDFC bank account to different bank accounts between

14.11.2025 and 08.01.2026. In all, an amount of ₹46,31,000/- was allegedly transferred in 13 transactions to different accounts under the belief that the same was being invested through Fyers Securities. The complainant further alleged that the mobile application showed a profit of about ₹2,97,00,000/-, but when he attempted to withdraw the amount, he was asked to deposit an additional sum of ₹50,00,000/- towards share-brokerage/charges. On refusal to deposit the said amount, the complainant was allegedly blocked. Thereafter, suspecting that he had been cheated through an online cyber-fraud investment racket, he lodged the complaint, on the basis whereof the present FIR was registered for offences under Sections 318(4) and 61(2) BNS at Police Station Cyber Crime, Sector-20, Panchkula. During investigation, the financial trail, bank records, KYC documents, technical material and electronic evidence were collected. An amount of ₹5,50,000/- was traced to Kotak Mahindra Bank Account No. 5750408274 of co-accused Ombir Singh. Ombir Singh was arrested and, according to the prosecution, disclosed that the account had been opened for receiving cyber-fraud proceeds against commission. ₹20,000/- and a mobile phone containing WhatsApp communications with associates were recovered from him. Co-accused Anshuman Kanojia was thereafter arrested on the basis of technical investigation. CCTV footage obtained from the concerned bank, duly supported by a certificate under Section 63(4) of the Bharatiya Sakshya Adhiniyam, 2023, allegedly depicts Ombir

Singh and Anshuman Kanojia withdrawing ₹40 Lakhs from the said account. The present applicant was already confined in District Jail, Agra, in FIR No. 522/2025, Police Station Sikandra, Agra. He was brought on production warrant on 08.05.2026, interrogated and arrested in the present case. The prosecution alleges that he, along with his associates, was involved in procuring bank accounts and facilitating their use for routing cyber-fraud proceeds against commission. The investigation further relies upon the disclosure attributed to co-accused Anshuman Kanojia regarding his association with the applicant in procuring accounts for such purpose. Challan against the applicant has been presented. Seven other alleged associates, namely Manish, Abhimanyu @ Gulshan, Raman, Amit Sengar, Neeraj, Toppi Bhai and Abhishek, are stated to be absconding.

5. Learned counsel for the applicant contended that the applicant was not named in the original complaint/FIR, never communicated with or induced the complainant, and has no direct connection with the alleged fraudulent transactions. It was submitted that he was already in custody in another case from December 2025 and was brought into the present case only on 08.05.2026. No recovery of the cheated amount or other incriminating article has been effected from him; investigation is complete and challan has been filed. Parity with co-accused Anshuman Kanojia, who has been granted bail, was also claimed. It was further submitted that the applicant has remained in custody since

08.05.2026 and undertakes to comply with all conditions imposed by the Court.

6. Learned Public Prosecutor opposed the application, submitting that the applicant has a specific role in the financial mechanism of the cyber-fraud. According to the investigation, he was involved in procuring bank accounts and facilitating their use for receiving fraudulent proceeds in return for commission. His role is stated to have emerged during investigation from the financial trail and the statements/disclosures of co-accused persons. It was further submitted that the applicant has criminal antecedents, including FIR No. 522/2025, Police Station Sikandra, Agra, and that he is also wanted in FIR No. 49/2024, Police Station Cyber Crime, MDC, Panchkula, under Sections 406, 420, 467, 468, 471 and 120-B IPC. Seven co-accused are still absconding. It was apprehended that his release may facilitate their evasion, besides creating a risk of repetition of similar offences. His earlier bail application has also been declined by the learned ACJM, Panchkula, vide order dated 20.07.2026.

7. I have heard learned counsel for the parties and perused the record.

8. Cyber-enabled financial fraud has assumed alarming proportions and poses a serious threat not only to individual financial security but also to public confidence in digital transactions. Such

offences are often executed through organised networks in which different persons perform distinct functions, including inducement of victims, creation of deceptive platforms, procurement of bank accounts and movement or withdrawal of the cheated funds. Therefore, absence of direct contact with the victim cannot, by itself, exclude the liability of a person who is prima facie shown to have facilitated the financial channel through which the proceeds were routed.

9. In the present case, the applicant's alleged role is not founded merely upon his name appearing during investigation. The prosecution case attributes to him a specific function in the procurement and facilitation of bank accounts used for receiving cyber-fraud proceeds. At the stage of bail, this material cannot be discarded merely because the applicant did not personally induce the complainant or because no cash was recovered from his possession. The alleged facilitation of accounts, if established, constitutes an important link in the chain of an organised financial fraud.

10. The plea that the applicant was in custody in another case during part of the period of the alleged transactions also does not, by itself, demolish the prosecution case. The prosecution does not necessarily attribute to him the initial online inducement of the complainant; rather, his alleged role relates to the financial infrastructure used by the syndicate. Whether such role was actually performed by him is a matter

for trial and cannot be conclusively determined in these proceedings.

11. The criminal antecedents of the applicant assume particular significance in the present case. The record reflects his involvement in FIR No. 522/2025, Police Station Sikandra, Agra, and his being wanted in FIR No. 49/2024, Police Station Cyber Crime, MDC, Panchkula, involving allegations of cheating, forgery and criminal conspiracy. These antecedents are not being treated as proof of his guilt in the present case; nevertheless, they are a relevant circumstance while assessing the likelihood of repetition of similar conduct, respect for the process of law and the risk associated with enlargement on bail. The concern becomes more pronounced where the present prosecution itself alleges participation in an organised cyber-enabled financial network.

12. The plea of parity with Anshuman Kanojia also cannot be accepted mechanically. Parity is founded upon similarity of role and circumstances and not merely upon the fact that another accused has been granted bail. The role attributed to each accused has to be independently assessed. Further, the antecedents attributed to the present applicant constitute an additional circumstance requiring separate consideration. Thus, the order granting bail to a co-accused does not confer an automatic right of parity upon him.

13. It is also material that several alleged associates remain absconding. In a case involving coordinated use of multiple bank accounts

and persons performing different functions, the release of an accused who is prima facie connected with the account-procurement mechanism carries a reasonable possibility of his contacting or assisting such persons in evading the process of law. The apprehension of the prosecution, therefore, cannot be termed fanciful or speculative.

14. No doubt, filing of the challan and the period of custody are relevant considerations. However, these factors have to be balanced against the nature of the allegations, the prima facie material indicating the applicant's role, his antecedents and the existence of absconding co-accused. The Court is not required at this stage to conduct a meticulous appreciation of evidence or determine the ultimate guilt of the applicant. The limited question is whether the discretionary relief of bail ought to be extended in the circumstances presently obtaining.

15. On an overall consideration, the magnitude of the alleged fraud involving ₹46,31,000/-, the organised nature of the cyber-enabled offence, the specific role attributed to the applicant in facilitating the bank-account network, his criminal antecedents, the pendency of another case involving serious allegations of cheating and forgery, and the fact that several co-accused are still absconding, constitute sufficient grounds, at this stage, to decline the concession of regular bail. The antecedents, when considered alongside the nature of the present allegations, materially strengthen the apprehension of recurrence and interference with

the administration of justice.

16. Consequently, without expressing any opinion on the ultimate merits of the case, the present application for grant of regular bail filed by applicant/accused **Kripal Singh is dismissed**.

17. Nothing stated herein shall be construed as an expression of opinion on the merits of the case. The learned Trial Court shall decide the case strictly on the basis of evidence led before it, uninfluenced by any observation made herein. File be consigned to the record room after due compliance.

Pronounced in open Court.
Dated: 11.08.2026 (Bikramjit Aroura)
rajni arora Additional Sessions Judge
Panchkula.UID No. HR-0565

Note:All the pages of this order have been checked and signed by me.

(Bikramjit Aroura)
Additional Sessions Judge
Panchkula.UID No. HR-0565

Present: Shri Sachin Gandhi, Advocate for the applicant-petitioner.
Shri Pardeep Sharma, Ld. Public Prosecutor for the State assisted by ASI Brijesh Kumar PS Cyber Crime Sector-20, Panchkula.

Reply filed. Copy given. Arguments on the bail application heard. Order pronounced. Vide my separate order of even date, the bail application of the petitioner-accused has been **dismissed**. File be consigned to the record room after due compliance.

Pronounced in open Court.
Dated: 11.08.2026
Rajni

(Bikramjit Aroura)
Additional Sessions Judge
Panchkula.UID No. HR-0565

I attest to the accuracy and authenticity of this document.
Digitally signed by RAJNI ARORA
DN: cn=RAJNI ARORA, ou=DISTRICT AND SESSIONS COURT PANCHKULA,CID - 7107859, o=DISTRICT AND SESSIONS COURT PANCHKULA, st=Haryana, c=IN
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(Bikramjit Aroura)
ASJ, PKL.UID No.HR-0565
11.08.2026