

IN THE COURT OF SAURABH GUPTA:
ADDITIONAL SESSIONS JUDGE,GURUGRAM.
UID NO.HR0284

CNR number	HRGR01-003841-2026
CIS number	BA-1236-2026
UID CODE	HR-0284
Decided on	16.3.2026

Arjun Singh son of Jagan r/o Ghatoli Khan Surajpur Bharatpur Rajasthan.

.....Applicant-accused.

Versus

1. State of Haryana.

..... Respondent.

F.I.R No.:305 dated 25.8.2025
U/S: 318(4),61(2) BNS
P.S: Cyber Crime Est Gurugram.

APPLICATION FOR BAIL UNDER SECTION 483 BNSS 2023.

Present: Shri Pushkar Raj, Advocate for accused-applicant
Shri Abhishek Sanwaria, Public Prosecutor for the State

ORDER :

By this order, this court shall dispose of the regular bail application of the accused-applicant, particulars of whose are given above.

2. As per brief facts of story of prosecution it has been stated that on 25.8.2025 complaint was given by complainant Kundan Kumar. In the complaint, complainant stated that he is a 26 years old boy and he saw a Gigolo service ad on facebook. On 22.7.2025, he called on mobile number 9643351263 as mentioned in the advertisement. A sum of Rs.1100/- was demanded from him towards membership fee. Thereafter complainant was

put into contact with two other mobile number 8368074267 and 8882773935. Complainant contacted both the numbers and on different occasions additional money was demanded from the complainant and accordingly complainant made 9 different transaction in UPI ID no. 9891412240 @ ybl for a total sum of Rs.40,489/-. Complainant stated that later no job was provided to him and when he demanded his money back, money was not returned and complainant realized that he has been defrauded. He requested to take action in the matter.

3. Formal FIR was lodged. Banking record was seized and it transpired that a sum of **Rs.40,489/- has been credited into UCO bank account no.29020110036150** which was being maintained at Manesar Branch. Mobile number 9368074267 which was used to commit fraud was found to be in the name of applicant/accused Deshraj. On 13.2.2025, Deshraj was arrested and he gave a disclosure statement that he came in contact with **Arjun** with whom he was working in Manesar and **on the asking of Arjun Singh he obtained the sim card in question and gave the same to him for a sum of Rs.2000/- for facilitating commission of cyber fraud. Thereafter accused Arjun Singh was arrested and the account number in which fraudulent sum was credited was found to be in his name.** Arjun Singh disclosed the fact that he came in contact with co accused Abhishek Sharma and Ajay and on the asking of Abhishek Sharma, he gave his account number and two sim cards for total sum of

Rs.7000/- to Abhishek Sharma for facilitating cyber offence. Offence under Section 61(2) BNS was added.

4. Notice of the application was given to the State through Public Prosecutor. Reply to the application was filed wherein the contents of the FIR have been reiterated.

5. I have heard learned counsel for the accused-applicant and learned Public Prosecutor and learned counsel for the complainant and have gone through the case file carefully.

6. Learned counsel for the applicant/accused has prayed for grant of bail on the ground that applicant/accused is innocent and he is in custody since 13.2.2026 and has fully cooperated in the investigation. It has been stated that the applicant/accused has no previous criminal antecedents and no purpose shall be served by keeping him in custody any longer. It has been stated that name of the applicant has been involved on the basis of disclosure statement of co accused and there is no likelihood of applicant absconding. It has been stated that co accused has already been granted bail by this court on 10.3.2026 and thus bail has been requested on the ground of parity.

7. On the other hand Public Prosecutor for the State has opposed the bail application on the ground that an economic offence by use of cyber fraud has taken place and prayer has been made that bail application should be dismissed.

8. Perusal of the file reveals that no criminal history is attached to the applicant/accused. Co-accused Desraj has already been granted bail by this court on 10.3.2026. As per story of prosecution only allegations against the applicant/accused are to the effect that he had given bank account in his name further to a co accused who committed the act of deception and is yet to be arrested. As reflected in the order passed by learned trial court settlement agreement has already been effected between the complainant and the applicant/accused and the complainant has no objection if bail is granted to the applicant/accused since he has received back entire sum of Rs.40,490/-. Veracity of allegations is yet to be proved. No recovery is to be effected from the applicant. The case is triable by the court of Magistrate. It is a settled proposition of law that bail is a rule while jail is an exception. Pre trial incarceration cannot be a substitute for post trial conviction and sentence. Hence, without further commenting anything on the merits of the case, the accused-applicant is admitted to bail subject to furnishing bail bonds in the sum of **₹1,00,000/- with one surety in the like amount to the satisfaction of learned Trial Court/ Duty Magistrate/ Illaqa Magistrate as the case may be.** Applicant/accused is directed to appear in the court on each and every date of hearing and he will not delay the trial of the case and will not threaten any witness. Copy of this order be sent to learned Trial Court. Nothing contained in this order shall have any bearing on the merits of the case. **Copy of this order be**

sent through E-mail to the Superintendent District Jail Bhondsi, Gurugram for making relevant entry in the E-Prisons Software in compliance of judgment of Hon'ble Supreme court of India in SMWP(criminal) 4-2021 in Re: Policy Strategy for grant of bail. File be consigned to record room.

Announced in open court
16.3.2026

Saurabh Gupta
Additional Sessions Judge,
Gurugram.

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

16.3.2026
puja

Saurabh Gupta
Additional Sessions Judge,
Gurugram.

CNR number	HRGR01-003841-2026
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Present: Shri Pushkar Raj, Advocate for accused-applicant
Shri Abhishek Sanwaria, Public Prosecutor for the State

Arguments heard. Vide my separate order of even date, the accused-applicant is admitted to bail subject to furnishing bail bonds in the sum of ₹1,00,000/- with one surety in the like amount to the satisfaction of learned Trial Court/ Duty Magistrate/ Illaqa Magistrate as the case may be. Applicant/accused is directed to appear in the court on each and every date of hearing and he will not delay the trial of the case and will not threaten any witness. Copy of this order be sent to Trial Court. File be consigned to record room.

Announced in open court
10.3.2026
puja

Saurabh Gupta
Additional Sessions Judge,
Gurugram.

UID Code No. HR-0284