

IN THE COURT OF PUNEET SEHGAL
ADDITIONAL SESSIONS JUDGE : GURUGRAM.
[UID : HR-0183]

Bail application No. : 605 of 2025
Date of Institution : 11.12.2025
CNR No. : HRGR01-019188-2025
CIS No. : BA-5636-2025
Date of order : 16.12.2025

Jaswant Singh Bhati son of Sh. Dalip Singh Bhati aged about 23 years r/o
7E-25, Kuribhagtasani Housing Board, Basani I, Jodhpur, District
Jodhpur.

.....**Applicant-accused.**

Versus

State of Haryana

.....**Respondent.**

FIR No. : 131 dated 14.04.2025
Under Sections : 318(4) BNS
Police Station : Cyber Crime East, Gurugram

3rd APPLICATION FOR REGULAR BAIL
UNDER SECTION 483 BNSS

Argued by :

Shri Naresh Kumar, counsel for the applicant-accused.
Shri Sumit Saini, Public Prosecutor for the State.

ORDER :

This present application seeking regular bail has been moved
by applicant in case FIR No.131 dated 14.04.2025, for the commission of
offences punishable under Section 318(4) of BNS. It has been prayed by
the applicant that he has been arrested by the police on 23.06.2025 and is
presently confined in Judicial custody. The applicant is a student and is 23
years old. Hence, the present bail application.

(Puneet Sehgal)
Additional Sessions Judge,
Gurugram(UID No.HR-0183)
16.12.2025

2. In reply to bail application prosecution has alleged that the present FIR was registered on the complaint of Manik Ahuja son of late Shri S.K.Ahuja alleging therein that he was defrauded by individuals who contacted him via whatsapp under the guise of part time income opportunity. He was sent telegram link and joined the channel, where the fraudulent activity was carried out. He on false promise was defrauded to the tune of Rs. 55.28 lacs as he transferred the said amount on their false promise. Now the accused persons have deleted his user ID and erased all traces of his transactions and removed him from Telegram channel. Hence, the complaint for taking appropriate action.

3. Learned counsel for defence has submitted that the applicant has been falsely implicated in the present case. He has argued that no role has been attributed to the accused and it is clear cut case of false implication. He is in custody since 23.06.2025 and no useful purpose would be served by detaining the accused in custody. He argued that the story of prosecution is manifestly implausible and shrouded with suspicious circumstances. He argued that challan has been filed in the present case.

4. While refuting the said contentions learned PP for the State has submitted that accused has been apprehended under Sections 318(4) of BNS. The allegations against the accused are serious in nature. A Prayer for dismissal of bail application has been made.

5. I have heard learned counsel for the accused and learned PP for the State and gone through the case file carefully.

6. Allegedly in the present case, based on Cyber fraud complainant was defrauded of a sum of Rs. 55.28 lacs. A sum of Rs. 5 lacs was found transferred in the account maintained by applicant-accused. The role assigned to the accused is that he has used his bank account for transfer of money to the extent of 5 lacs relating to the cheating with the complainant and he withdrew the same and gave the same to the other co-accused in cash for which he received a sum of Rs. 10,000/- allegedly. Therefore, prima facie at this stage his involvement in the commission of offence is clearly made out. By way of said procedure the applicant-accused alongwith his co-accused has destroyed the trail of the money. The argument of learned counsel for defence that the accused has no role with the commission of such offences is devoid of merits because in the present factual circumstances the intention of all the accused in the hierarchy in the commission of the offence is manifest that they do not leave any trail of the commission of the offence. The money is transferred from first layer account and is divided into cash leading to a dead end in order to defeat the investigation. The cyber criminals have no footprints of their crime and then plead innocence.

7. Furthermore accused can maintain a number of successive applications for bail but there has to be a substantial change in the

circumstances from the date of dismissal of the first application. Admittedly, no material change has taken place from the date when the first application was dismissed i.e. 25.07.2025 and 28.10.2025 and no new circumstances, has been brought on record since disposal of the earlier applications for bail in the instant case, which was moved by the applicant-accused. The mere fact that he is in custody, is not sufficient to re appreciate the facts to grant bail.

8. In these circumstances, I do not find it appropriate, moreso, in the light of the rising commission of cyber crimes by misuse of technology and cyber frauds who defraud innocent persons to their hard earned money to release the accused on bail. In my opinion the present case falls within the domain of exception to the general rule of grant of bail. Therefore, application for regular bail moved by the applicant/accused is hereby dismissed, it being devoid of merit.

9. Needless to say that the observations made in this order pertains to the present application and shall have no impact on the merits of the case. File be consigned to record room after due compliance.

Pronounced in open Court.
Dated : 16.12.2025

Santosh, SG-1

(Puneet Sehgal)
Additional Sessions Judge,
Gurugram. [UID : HR0183]

Note: Certified that this order consists of four pages and each page has been checked and signed by me.

(Puneet Sehgal)
Additional Sessions Judge,
Gurugram. [UID : HR0183]

(Puneet Sehgal)
Additional Sessions Judge,
Gurugram(UID No.HR-0183)
16.12.2025