



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

213

CRM-M No.14457 of 2026 (O&M)

Date of Decision: 13.05.2026

Abhishek Sharma

.....Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR.JUSTICE SURYA PARTAP SINGH

Present: Mr. Kamal Nayan Tiwari, Advocate and
Mr. Yashwardhan Goyal, Advocate for the petitioner.

Mr. Rajiv Malhotra, DAG, Haryana.

SURYA PARTAP SINGH, J. (Oral):

This is first petition for bail, filed by the petitioner under Section 483 of the 'Bharatiya Nagarik Suraksha Sanhita 2023'. This petition pertains to a case arising out of FIR No.247 dated 04.10.2025, for the commission of offence punishable under Sections 318(4) and 61(2) of 'the Bharatiya Nyaya Sanhita 2023, Police Station Cyber Crime Central, District Faridabad.

2. The abovementioned FIR came into being at the instance of 'Dinesh Ganotra', hereinafter being referred to as 'complainant', only. It was stated by the above named complainant that on 23.09.2025 his wife namely 'Sarita' received a whatsapp video call on her mobile No.98188-27416 from unknown person using mobile No.8807835463 and the caller identified himself as 'Ajay Bansal' and in the name of verification of her bank account asked the complainant's wife to transfer Rs.16,00,000/- kept in fixed deposit to another account under the assurance that after verification the money would be returned. As per complainant the above mentioned money has been siphoned-



off by the fraudsters and they have been subjected to cheating.

3. It is the case of the prosecution that in view of above mentioned complaint formal FIR of this case was lodged and the investigation taken up. According to prosecution during the course of investigation by tracking the money trail it was found that out of the above mentioned amount a sum of Rs.3,02,900/- was transferred into the account number 92402000594323, belonging to the petitioner, and therefore, the petitioner was taken into custody, who suffered a confessional statement, wherein he admitted his involvement in the commission of crime.

4. Reply on behalf of State is already on record.

5. Heard.

6. It has been contended by learned counsel for the petitioner that petitioner has already suffered prolonged incarceration for being in custody for a period of approximately six months, and that the investigation in this case is already complete and nothing has been left to be recovered from the possession of petitioner. According to learned counsel for the petitioner the similarly placed two co-accused, namely 'Shivam Tiwari' and 'Himanshu Sharma' have already been accorded the benefit of bail, and that on the ground of parity the petitioner, too, is entitled to the benefit of bail.

7. In addition to above, it has also been contended by learned counsel for the petitioner that the only allegations against the petitioner is that a sum of Rs.3,02,900/- (part of proceed of crime), was transferred in his account. As per learned counsel for the petitioner the above mentioned amount has already been freezed/attached and ordered to return the same to the



complainant, has been issued by the learned trial Court. According to learned counsel for the petitioner, in view of above the liability of the petitioner stands discharged.

8. The learned State Counsel has controverted the abovementioned arguments. It has been contended by the learned State counsel that in the present petition the allegations against the petitioner are quite specific qua the fact that a part of proceed of crime has landed into his saving bank account and he is a beneficiary of the same. It has been contended by learned State counsel that the benefit of bail to two co-accused namely 'Shivam Tiwari' and 'Himasnhu Sharma' has been accorded by the learned trial Court primarily on the ground that on account of return of money by the above named co-accused to the complainant, the complainant did not oppose their application for bail. It has also been contended by learned State counsel that although the amount of Rs.3,02,900/-lying in the account of the petitioner has already been freezed and the order for refund of the same, to the complainant, has been issued, but on account of objection of the bank, the abovesaid amount has not been transferred to the complainant. With regard to above, it has been explained by the learned State counsel that the difficulty in payment of above mentioned amount is being faced by the bank, because prior to the order qua refund of money to the complainant, with regard to same account of the petitioner another order passed by another Court in different case, has been issued.

9. It has also been contended by learned State counsel that the complainant's case is not the only case, wherein the account of the petitioner is involved in the cyber fraud, and that, in fact, in number of cases the same



account number is involved.

10. The record has been perused carefully.

11. A perusal of the record shows that following are the relevant factors which are required to be taken into consideration for a decision in the present petition:-

- i) that there are very specific and direct allegations against the petitioner qua the fact that he received a sum of Rs.3,02,900/- out of proceed of crime;
 - ii) that the above mentioned amount despite order by the Court has not been released in favour of complainant as another claim with regard to same money has cropped up, in different FIR;
 - iii) that the case pertains to a cyber fraud, and therefore, a strict view is required, particularly in view of gravity of offence and the quantum of money involved in the present case.
12. Taking into consideration the cumulative effect of all the aforesaid factors, it is hereby observed that, at this stage, the petitioner is not entitled to the benefit of bail, either on merit or on the ground of parity, and that the present petition deserves dismissal. Hence, finding no merits, the present petition is hereby dismissed accordingly.

(SURYA PARTAP SINGH)
JUDGE

13.05.2026
Manoj Bhutani

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