216 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

2026:PHHC:073147

CRM-M-20302-2026 (O&M)
Date of Decision: 11.05.2026

RISHAV SAINI ... PETITIONER

VERSUS

STATE OF HARYANA ... RESPONDENT

CORAM : HON'BLE MR. JUSTICE H.S.GREWAL

Present:- Ms. Sonal Singh, Advocate for the petitioner (through V.C.).

Dr. Malvika Singh, D.A.G., Haryana.

H.S. GREWAL, J. (ORAL)

1. The petitioner is seeking regular bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita (BNSS) (439 Cr.P.C.) in FIR No.241/2025 dated 01.07.2025 under Sections 318(4), 319(2), 204, 61(2) of BNS, 2023 (420, 416, 170, 120B IPC) and Section 66D of the IT Act, 2000 registered at Police Station Cyber East, Gurugram, District Gurugram.

2. The case of the prosecution is that on 01.07.2025, complainant moved a complaint in the police station stating therein that on 18.06.2025 she received a call on her landline number from a person claiming to be from Airtel, who stated that her mobile connection would be blocked due to calls being received from the CBI. Subsequently, she received calls from a person who introduced himself as Inspector Pradeep Sawant from Mumbai Police. She was told by the aforementioned person that four accounts in different banks were opened in her name and that she transferred Rs.38 crores from these bank accounts to J&K Bank for drug trafficking and

money laundering. Thereafter, complainant transferred different sums of money totalling to Rs.27,00,000/-. Thereafter, she came to know that fraud was committed with her. The complainant transferred Rs.8,79,000/- on 20.06.2025 and Rs.5,30,000/- from her Punjab & Sind Bank account through RTGS mode.

3. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in the present case. It is contended that when the cyber fraud had taken place, the petitioner was lodged in jail in case FIR No.37/2025 dated 12.06.2025 and was brought on production warrants and subsequently implicated in the present case. She further submits that the petitioner is in custody for the last 08 months and 15 days. She, thus, prays for grant of bail to the petitioner.

4. Learned State counsel vehemently opposes the prayer for grant of regular bail to the petitioner on the ground of gravity of allegations. Learned State counsel has filed the custody certificate in Court, which is taken on record. She further submits that as per the custody certificate, the petitioner is in custody for the last 08 months and 15 days.

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

6. After hearing the rival contentions of the learned counsel for the parties and keeping in view the facts and circumstances of the case that petitioner was lodged in jail when the cyber fraud was committed; the petitioner is in custody for the last 08 months and 15 days; the conclusion of trial is likely to take time and continuous detention of the petitioner would not serve the ends of justice, this Court deems it fit to grant the concession of regular bail to the petitioner during the pendency of the trial. Moreover, *'bail is rule and jail is exception'*.

7. Therefore, without expressing any opinion on the merits of the case, the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing requisite bail bonds, surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate concerned.

8. It is clarified that while on bail so granted through the instant order the petitioner is found indulging in any other criminal case, it shall be open to the State to seek cancellation of his bail.

(H.S.GREWAL)
JUDGE

11.05.2026
Janki

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