

Deepak vs State Of Haryana on 13 October, 2025

CRM-M--56946-2025

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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CRM-M-56946-2025

.2025

Deepak

Date of decision: 13.10.202
....Petitioner

State of Haryana

V/s

....Respondent

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present: Mr. Najar Singh, Advocate for
Mr. Navmohit Singh, Advocate for the petitioner.
Mr. Gurmeet Singh, AAG Haryana.

SUMEET GOEL,
GOEL J. (Oral)

1. Present petition has been filed on behalf of the petitioner seeking grant of anticipatory/pre-arrest anticipatory/pre arrest bail under Section 482 of BNSS, 2023 in FIR No.148 No. dated 16.09.2025 registered for offences punishable under Sections 318(4) of BNS, 2023 at Police Station Cyber Crime, Police Station Karnal, District Karnal.

Karnal

2. The FIR was registered based on a complaint by Inspector Pardeep Kumar of the Cyber Haryana Police, Panchkula. The complainant stated that, following directions from the Inspector General of Police Police, e, Cyber Haryana, certain bank accounts across the State were identified as suspicious. Out of such account, account bearing No.0349561811 at Kotak Mahindra Bank, Sector 12, Karnal, belonging to Pulkit Bhardwaj, resident of House No.277, Sant Nagar, near Gurudwara, Karnal was investigated. The account was reportedly opened for trading in vegetables and fruits with a declared annual turnover of around Rs.20.00 lacs. Upon reviewing the account statement from 06.01.2024 to 22.05.2025, it was found that Rs.5,70,48,200/- had been deposited and Rs.5,70,44,822/- had been withdrawn, leaving a balance of Rs.3377/-.. The police noted that the address provided for the account was a residential property with no sign of commercial activity and the mobile number listed was not valid. Furthermore, 14 cybercrime complaints had been reported against this account including one in Haryana. When Kotak Mahindra Bank was contacted, the bank manager provided documents related to this suspicious account. The documents confirmed that the account was opened in the name of Pulkit Bhardwaj for vegetable and fruit trading. The mobile number listed was found to be invalid and the e-mail ID provided was kaushik.deepak169@gmail.com Based on this complaint, legal action was requested against the

persons involved. A formal FIR was registered and the investigation ensued. The owner of the account disclosed the involvement of the petitioner in operating the account. Multiple mobile numbers were linked to the account. The account statement showed transactions totaling Rs.5,70,48,200 up to 22.05.2025. Based on these set of allegations, the instant FIR came to be registered.

registered

3. Learned counsel for the petitioner has iterated that the petitioner is a registered user of online gaming platforms such as Reddy Anna, Anna SSS, CBTF and Fairplay which is evident from WhatsApp chats, deposit and withdrawal records and gaming activity screenshots (copy whereof has been appended as Annexures P P-3 to P-5).

5). The petitioner deposited money into accounts provided by the platforms and winnings were credited to his bank account. According to learned counsel, the petitioner participated in multiple games and winning and losing amounts in the normal course of game play. The total transaction volume may appear large 2 of 8 but it represents repeated betting of the same amounts and not actual income or profits. The petitioner received winning amounts which does not establish any criminal liability. Furthermore, out of 14 cyber complaints in the FIR, none are directed against the petitioner which shows that he is not involved in any wrong doings. It has been further submitted that the bank account of the petitioner was opened with full KYC compliance by reflecting its true identity. There is no allegation of forgery, impersonation or use of false identity. Moreover, the FIR does not allege any act of fraud, inducement or cheating by the petitioner. It has been further submitted that the purported transactions of Rs.5.70 crore reflect repeated betting of the same amounts across multiple accounts which does not show actual profits or illegal gains. Learned counsel has further submitted that the petitioner has engaged only in legitimate online gaming, complied with all banking and KYC norms and there is no evidence linking him to any fraudulent activity. The FIR is based on assumptions and misinterpretation of normal gaming transactions and no criminal liability is established against the petitioner. Learned counsel has further submitted that there is no need for custodial interrogation of the petitioner as nothing incriminating remains to be recovered from him.. Moreover, there is no likelihood of the petitioner absconding from the process of justice or tampering with the prosecution evidence in case he is enlarged on pre-

pre-arrest arrest bail. On strength of these submissions, the grant of anticipatory bail is entreated for.

4. Per contra,, learned State counsel has opposed the grant of anticipatory bail to the petitioner by arguing that the offence committed by the petitioner is serious in nature. According to learned State counsel, the 3 of 8 FIR arises from a complaint filed by Cyber Haryana, which identified certain bank accounts with unusually high transactions as suspicious. The account was operated with multiple mobile numbers and the email id linked to it was different from the account holder. Furthermore, 14 cybercrime complaints have been lodged against transactions involving this account. Given the large volume of transactions through a single account and the

involvement of multiple accounts, the role of the petitioner in operating or facilitating these transactions needs to be investigation. The investigating agency is still in the process of gathering evidence for which custodial interrogation of the petitioner is necessary. Considering the seriousness of the allegations and the stage of investigation dismissal of the instant petition is prayed for.

5. I have heard the learned counsel for the rival parties and have gone through the available record of the case.

6. As per the case put forth in the FIR in question, indubitably, serious allegations have been levelled against the petitioner. From the material on record, including arguments advanced, it is evident that the Bank Account in question at Kotak Mahindra Bank, Sector 12, Karnal is being operated by the petitioner. The said account was opened in the name of one Pulkit Bhardwaj, whose statement has been recorded by the Police. The said Pulkit Bhardwaj, has categorically stated that he has no knowledge of the transactions in the account and that the account was being maintained and operated by the petitioners. The account in question reflects transactions totaling Rs.5,70,48200/-

Rs.5,70,48200/ between 06.11.2024 and 22.05.2025 of which Pulkit Bhardwaj disclaims any knowledge or involvement. The plea of the petitioner that the account was opened for the use in a gaming application, 4 of 8 no evidence has been produced to demonstrate that the petitioner earned any money from such platforms. Meanwhile, the police has received 14 cybercrime complaints relating to alleged cyber frauds connected to this account. The account has been linked to deposits originating from such fraudulent activities.

7. It is befitting to mention here that while adjudicating the bail pleas, particularly in cases concerning cybercrimes and online fraud, necessitates a meticulous evaluation of several pivotal factors. Paramount among these is the inherent gravity and seriousness of the offense, coupled with its potential societal ramifications. The proliferation of online frauds and cybercrimes poses a significant threat, as it systematically erodes public confidence in digital financial transaction platforms. Such erosion runs counter to the aspirations of an advanced and digitally empowered "Digital Bharat" and thus warrants a heightened degree of judicial circumspection. These offenses are characterized by their capacity to aggrieve a multitude of victims simultaneously, often with a single act of commission. The deleterious consequences of cybercrimes transcend individual boundaries, imperiling numerous unsuspecting citizens. The gravity of such transgressions cannot, therefore, be understated. They not only jeopardize the financial security and trust reposed by individuals in financial payment gateways and platforms but also inherently expose the broader populace to analogous threats. Indeed, cybercrime in our nation operates akin to a silent virus -- insidious, disruptive, and exacting a toll on society that extends far beyond mere pecuniary loss, encompassing the bedrock of trust, security, and national progress. Given the inherent nature and profound gravity of such offenses, and their wide-ranging wide cascading effects on both society and financial institutions, this Court finds itself disinclined to grant the relief of anticipatory bail as prayed for. To do otherwise would be to turn a Nelson's eye to the profound and far-reaching detrimental impact of these digital depredations. At this stage, there is no material on record to hold that prima facie case is not made out against the

petitioner. The material which has come on record and preliminary investigation, appear to be established a reasonable basis basis for the accusations. Thus, it is not appropriate to grant anticipatory bail to the petitioner, as it would necessarily cause impediment in effective investigation.

8. Moreover, no cause nay plausible cause has been shown, at this stage, from which it can be deciphered that the petitioner has been falsely implicated into the present FIR. It goes without saying that in the instant case, the petitioner has not demonstrate any legitimate source of income to justify investment of such substantial amount in gaming applications. Given the volume of the transactions totalling to Rs.5,70,48,200/ Rs.5,70,48,200/- which are allegedly routed through the account operated by the petitioner, a detailed and thorough investigation is indispensable to ascertain the true nature and origin of the funds, the mode of transactions and the involvement of the petitioner. The investigation is at nascent stage. It is befitting to mention here that while considering a plea for grant of anticipatory bail, the Court has to equilibrate between safeguarding individual rights and protecting societal interests. The Court ought to reckon with the magnitude and nature of the offence; the role attributed to the accused; the need for fair and free investigation as also the deeper and wide impact of such alleged iniquities on the society. At this stage, there is no material on record to hold that prima facie case is not made out against the petitioner. The material which has come on record and preliminary investigation, appear to be established a reasonable basis for the accusations. Thus, it is not appropriate to grant anticipatory bail to the petitioner, as it would necessarily cause impediment in effective investigation. In *State v. Anil Sharma*, (1997) 7 SCC 187 : 1997 SCC (Cri) 1039, 1039, the Hon'ble Supreme Court held as under : (SCC p. 189, para 6) "6. We find force in the submission of CBI that custodial interrogation is qualitatively more elicitation-oriented than questioning a suspect who is well-ensconced ensconced with a favourable order under Section 438 of the Code. In a case like this, effective interrogation of a suspected person is of tremendous advantage in disinterring many useful informations and also materials which would have been concealed."

aled. Success in such interrogation would elude if the suspected person knows that he is well protected and insulated by a pre-arrest arrest bail order during the time he is interrogated. Very often interrogation in such a condition would reduce to a mere ritual. The argument that the custodial interrogation is fraught with the danger of the person being subjected to third degree methods need not be countenanced, for, such an argument can be advanced by all accused in all criminal cases. The Court has to presume that responsible police officers would conduct themselves in task of disintering offences would not conduct themselves as offenders."

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9. In view of the gravity of the allegations, the ongoing investigation and the prima facie link of the petitioner to a bank account involved in cyber fraud coupled with the necessity of the custodial interrogation for a fair and thorough investigation, this Court is of the considered opinion that the petitioner does not deserve the concession of anticipatory bail in the factual fact milieu of the case in hand.

10. In view of the preventient ratiocination, it is ordained thus:

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(i) The instant petition is devoid of merits and is hereby dismissed.

(ii) Nothing said hereinabove shall be deemed to be an expression of opinion upon merits of the case/investigation.

(iii) Pending application(s), if any, shall also stand disposed off.

(SUMEET GOEL) JUDGE October 13, 13 2025 Ajay Whether speaking/reasoned: Yes/No Whether reportable: Yes/No 8 of 8