

CRM-M-14618-2025

2025:PHHC:037053



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

CRM-M-14618-2025

Date of decision: 18.03.2025

Tabrej @ Tarif

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Satish Chudhary, Advocate, for the petitioner.

MANJARI NEHRU KAUL, J. (ORAL)

1. Prayer in this petition filed under Section 482 of BNSS, 2023/438 of Cr.P.C., is for grant of anticipatory bail to the petitioner in case FIR No.04, dated 19.01.2024, under Sections 419, 420, 170, 384, 201, 204, 120-B of IPC, registered at Police Station Cyber Crime Bhiwani, District Bhiwani.

2. The present case involves a serious and meticulously planned cyber fraud wherein the complainant, an elderly person, was deceitfully trapped into a well orchestrated extortion scheme. As per the allegations levelled in the FIR which has been reproduced in the body of the petition, the complainant received a video call from an unknown woman, who manipulated him into engaging in an inappropriate act while simultaneously recording his face through screen capture. Subsequently, the complainant received a call from from a person claiming to be an officer of the Delhi Crime Branch, falsely informing him that an obscene video involving him had surfaced on YouTube and that legal action

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was imminent. Exploiting the complainant's fear and desperation, the caller directed him to a so-called "YouTuber" who could allegedly remove the video in exchange for substantial monetary payments.

3. Induced by this fraudulent plan, the complainant was coerced into transferring large sums of money in multiple transactions across various bank accounts. Each time an amount was deposited, fresh demands were made under different pretexts, including the need for further payments to delete the video, secure non-existent legal clearances, and obtain foreign "stamps" for procedural formalities. Through this deceitful mechanism, the complainant was defrauded of approximately Rs.36,84,300/-. The investigation revealed that multiple persons, including the petitioner, were involved in the syndicate, systematically extorting money from victims through digital and financial manipulation.

4. Learned counsel for the petitioner has contended that the petitioner is innocent and has been falsely implicated in the case. It is argued that there is an unexplained delay in lodging the FIR and that the same has been registered after due deliberation. The petitioner is not named in the FIR and has only been implicated based on the disclosure statement of a co-accused, which, it is submitted, has no evidentiary value in law. It is further contended that no incriminating material directly connects the petitioner to the alleged offence except vague and inadmissible statements. No recovery is to be effected from the petitioner, and he is, therefore, not required for custodial interrogation. A prayer has, therefore, been made for extending the concession of bail to the petitioner.

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5. Having perused the record and considered the submissions advanced, this Court finds that the allegations against the petitioner are grave and prima facie disclose his active participation in a well organized cyber-criminal syndicate engaged in systematic financial fraud. The modus operandi adopted by the accused persons reveals a deliberate, calculated, and premeditated plan to defraud unsuspecting persons by exploiting their fear and social vulnerabilities.

6. The argument by the learned counsel that the petitioner is not named in the FIR does not, by itself, entitle him to the extraordinary concession of anticipatory bail, particularly when the investigation has uncovered his financial links to the crime. The claim that the FIR was lodged belatedly is also untenable, as cases of such nature often involve victims taking time to muster the courage to report such incidents. Furthermore, the disclosure statement of a co-accused, when prima facie corroborated with independent material, such as, bank transactions, mobile call records, and digital evidence, cannot be dismissed outright at this stage.

7. Cyber crime of this magnitude, involving financial extortion and impersonation of law enforcement officials, poses a serious threat to public confidence in digital transactions. Given the sophisticated nature of the crime and the alleged role of the petitioner in financial transactions, custodial interrogation is imperative to unearth the entire conspiracy, identify other perpetrators, trace the proceeds of crime, and prevent the recurrence of such frauds. Mere absence of antecedents cannot be a ground for anticipatory bail

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when the offence itself is of an extremely serious nature, involving a large scale fraudulent operation.

8. For the reasons as enumerated hereinabove, this Court does not deem it fit to extend the extraordinary concession of anticipatory bail to the petitioner.

9. Present petition stands dismissed accordingly.

10. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

(MANJARI NEHRU KAUL)
JUDGE

March 18, 2025
sanjeev

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