

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

2025:PHHC:116886

**CRM-M-39043-2025 (O&M)****Reserved on:21.08.2025****Date of decision:29.08.2025**

Dhadhal Ajaysinh Mansingbhai @ Ajay Singh Dhandhal

...Petitioner
Versus

State of Haryana & another ...Respondents

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Suresh Kumar Kaushik, Advocate for the petitioner.

Ms. Himani Arora, DAG, Haryana.

Mr. Jagdish Manchanda, Advocate and
Mr. Vikram Singh, Advocate for respondent No.2.

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MANISHA BATRA, J (ORAL)

The present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the petitioner seeking grant of regular bail in case arising out of FIR No.38 dated 31.01.2025, registered under Sections 308(2), 318(4), 319, 336(3), 338, 340 of the BNS (Sections 61(2), 3(5), 241 of the BNS and Sections 66C, 66D of the Information Technology Act were added later on), at Police Station Cyber Crime, West Gurugram, District Gurugram.

2. The aforementioned FIR was registered on the basis of complaint lodged by complainant Dr. Anita, a retired Principal alleging that on the evening of 03.01.2025, she had received a call on her cell phone. The caller told her that several complaints were registered against her for

violation of illegal advertisements and sending harassing messages and an FIR was registered against her. She was also informed that three cell phone numbers, which she was using would be blocked within short time. She also started receiving video calls from different numbers on her WhatsApp and the callers told her that a bank account had been opened by her in favour of a person, who was accused of money laundering and committing frauds and she would be sent to jail for 14 years. She was forbidden from disclosing these facts to her family members under the threat that they would also be put to jail and their bank accounts would be frozen and that they would be mentally and physically tortured. She was forced to transfer a total amount of Rs.3,03,00,000/- from her bank accounts to different bank accounts, the numbers of which were disclosed by the callers. She was kept under virtual digital arrest till the transfer of the abovesaid amount and was not even made to leave her room. She was made scared of her life. Last video call was made to her on 31.01.2025, whereby threats were again extended to her.

3. During investigation, the details of the beneficiary bank accounts were obtained and it was revealed that an amount of Rs.63 lakhs from the bank account of the complainant was transferred in an account bearing No.20100031773920 at Bandhan Bank on 10.01.2025. The said account was found to be operating in the name of M/s Shiv Trading Company under the proprietorship of accused Ram Gopal Singh. The said accused was arrested on 01.02.2025. On his identification, co-accused, Mukesh Ashok @ Pankaj was also arrested on the same day. It was also revealed that another amount of Rs.24,57,963/- from the account of the complainant was transferred in the bank account opened in the name of

Chawda Raju Bhai at Rajkot and the said account had been used only for 3-4 days. The above said accused was arrested on 17.03.2025. He was interrogated and suffered disclosure statement to the effect that on being asked by accused Dodiya Bhawin that bank accounts were required for conducting online fraud and earning money, he had joined him. As per the plan, an amount of Rs.24,57,963/- was transferred in his bank account on 10.01.2025. He had kept commission of a sum of Rs.30,000/- and had withdrawn the remaining transferred amount by way of cheque and had given the same in cash to accused Dodiya Bhawin. The above named accused was nominated as such and was arrested on 17.02.2025.

4. As per further allegations, the accused Dodiya Bhawin suffered a disclosure statement to the effect that he had met the present petitioner in November, 2024, who had told him about being acquainted with persons, involved in committing online digital fraud and had told him that bank accounts were required for such purpose. He had also offered commission to him, if he joined them. The above said accused further disclosed that out of greed, he had joined the present petitioner and the later had fraudulently deposited a sum of Rs.24,57,963/- in the Axis bank account of accused Chawda Raju Bhai, who was also known to him and the accused Chawda Raju Bhai after keeping commission had given the balance amount in cash to him which was given by him to the present petitioner, after taking his commission. The present petitioner was, as such, nominated as an accused and was arrested on 03.04.2025. He too suffered a disclosure statement admitting his involvement in the crime. Investigation qua the arrested accused has been completed and challan has been presented.

5. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. He was not named in the FIR. He is not beneficiary of any transaction. No money was transferred in his bank account. No recovery has been effected from him. Moreso he has entered into a settlement with the complainant and in pursuance thereof, had paid an amount of Rs.8 lakhs to him through a demand draft. Trial will take considerable time. His further incarceration would not serve any useful purpose. It is, therefore, urged that he deserves to be released on bail.

6. Status report has been filed. It is argued by learned State counsel assisted by learned counsel for respondent No.2/complainant that there are serious allegations against the petitioner. The allegations prima facie prove his active participation in the crime. Respondent No.2 has been duped of a huge amount of money. The petitioner was an active participant in the occurrence. He is a habitual offender. There are chances of his absconding, intimidating the witnesses or committing similar offences, if extended benefit of bail. It is, therefore, urged that the petition does not deserve to be allowed.

7. I have heard rival submissions made by learned counsel for the parties at considerable length and have gone through the record carefully.

8. The petitioner along with the co-accused is alleged to have hatched a conspiracy to commit online fraud/cheating by inducing public persons to part with huge amount of money and in pursuance thereof, co-accused by extending threats to the complainant had caused wrongful loss to the tune of Rs.3,03,00,000/- to her by making her transfer this much amount

in different bank accounts. One of such accounts is alleged to have been opened in the name of accused Chawda Raju Bhai on the asking of none other than the petitioner. The allegations reveal active participation of the petitioner in the crime. The fact that he had paid an amount of Rs.8 lakhs to the complainant, rather shows his complicity in the crime. The allegations against the petitioner are serious in nature. Such like crimes are on rise and everyday one hears about innocent public persons being duped of their hard earned money. The petitioner is involved in one more case of similar nature registered at Police Station Cyber, Nagpur - Maharashtra. The apprehension raised by the respondent that he may commit similar offences or abscond cannot be stated to be unfounded at this stage. Keeping in view the nature of the allegations as levelled against the petitioner, quantum of sentence which the conviction may entail and the attendant facts, but without meaning to make any comment on the merits of the case lest they prejudice the trial in any manner, this Court is of the opinion that the petitioner does not deserve to be released on bail at this stage. Accordingly, this petition is dismissed.

9. Since the main petition has been dismissed, pending application if any, is rendered infructuous.

(MANISHA BATRA)
JUDGE

29.08.2025

harjeet

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