

(2025) 12 SHI CK 0036

Himachal Pradesh HC

Case No: Criminal Miscellaneous Petition (M) No. 2840 Of 2025

Ravi Singh

APPELLANT

Vs

State Of H.P

RESPONDENT

Date of Decision: Dec. 17, 2025

Acts Referred:

- Bharatiya Nagarik Suraksha Sanhita, 2023-Section 180, 483
- Bharatiya Nyaya Sanhita, 2023-Section 238, 318(4), 319(2)
- Information Technology Act, 2000-Section 66(C), 66(D)

Hon'ble Judges: Virender Singh, J

Bench: Single Bench

Advocate: Yudhvir Singh Thakur, Avni Kochhar

Final Decision: Allowed

Judgement

Virender Singh, J

1. Applicant Ravi Singh has filed the present application, under Section 483 of Bharatiya Nagarik Suraksha Sanhita (hereinafter referred to as the BNSS) for releasing him, on bail, during the pendency of the trial, arising out of FIR No. 35 of 2025, dated 9.2.2025, registered under Sections 319(2), 318(4) and 238 of Bharatiya Nyaya Sanhita (hereinafter referred to as the BNS) and Sections 66(C) and 66(D) of the Information Technology Act (hereinafter referred to as the IT Act), registered with Police Station, Sadar Mandi, H.P.

2. The applicant has pleaded the fact that he is an innocent person and has falsely been implicated, in the present case and he has no concern whatsoever with the crime in question.

3. According to the applicant, he has tried his luck by moving application for bail, before the learned Chief Judicial Magistrate, Mandi, District Mandi, H.P., however, the same was dismissed, on 30.8.2025. Thereafter, he has again moved bail

application before the learned Sessions Judge, Mandi, District Mandi, H.P., however, the same has also been dismissed, vide order dated 9.7.2025.

4. Thereafter, the applicant has approached this Court by moving Cr. M.P.(M) No. 2279 of 2025, which was dismissed, as withdrawn, on 22.9.2025.

5. According to the applicant, investigation of the present case is complete, and the charges have already been framed against him, on 7.10.2025 and the learned trial Court has examined two PWs. All these facts have been pleaded to show that his custodial interrogation, is no longer required, in the present case, and chances of conclusion of trial, against the applicant, are not so bright, in near future.

6. On the basis of above facts, a prayer has been made by the applicant to release him on bail, during the pendency of the trial.

7. When, put to notice, the Police has filed the status report, disclosing therein that on 9.2.2025, a complaint was made by HC Jitender Singh, Incharge, District Cyber Cell, Mandi, to Police Station, Sadar Mandi, disclosing therein the following facts:

The Superintendent of Police, Mandi, District Mandi (HP), Subject- Regarding creation of fake facebook id with profile name "Sakshi Verma" URL: <https://www.facebook.com/profile.php?id=61570657333582&mibextid=ZbWKwl>.

Ma'am, most respectfully, it is humbly submitted that someone has created a fake facebook account with profile name "Sakshi Verma", Superintendent of Police, Mandi, Himachal Pradesh with [w.facebook.com/profile.php?id=61570657333582&mibextid=ZbWKwl](https://www.facebook.com/profile.php?id=61570657333582&mibextid=ZbWKwl) as its URL. The unknown person/fraudster impersonating as SP Mandi is posting fake and misleading messages on this profile and is demanding money on the behalf of SP Mandi. Further, to ascertain the identity and registrant details of the above facebook account and its user, necessary correspondence has been carried out with the facebook. As per the record received from facebook, it has been revealed that a fake gmail id sakshivermaipsaa@gmail.com has been used by the unknown person in creating above fake facebook account. (The screen shots of the alleged facebook account and the posts are attached herewith for ready reference please. In this regard, the detail/record of IP addresses provided by the facebook which are used to access above facebook profile have been taken from concerned TSPs. Further, the registrant detail of gmail id sakshivermaipsaa@gmail.com has also been taken from google LLC. As per the record of IP addresses provided by the concerned TSP, two mobile numbers 9129989924 and 9794551065 have been identified as the user of above facebook profile and gmail id. As per the SDR mobile number 9129989924 has been found registered in the name of Ravi Singh, R/o Attarsand District Pratapgarh Uttar Pradesh PIN 230401 and mobile number 9794551065 has been found registered in the name of Bablu Verma Ro Thana Kohandaurpatti Attarsand District Pratapgarhuttar Pradesh PIN 230401. Hence, the report is submitted for

favour of kind perusal please. Encls: As above Reader Yours faithfully, Sd/- Jitendersaini HC 128 Incharge District Cyber Cell. Mandi districtMandi (H.P.).

7.1 On the basis of above facts, Police registered FIR and criminal machinery swung into motion. Investigation was entrusted to Inspector Desh Raj, SHO, Police Station, Sadar Mandi. The documents, upon which, fake ID was created, were taken into possession. Thereafter, the request was made to the Manager, State Bank of India, Branch, Mandi to provide record pertaining to Account No. 43568973837. The said account was found to be in the name of Ravi Kumar, R/O Chibila, U.P. In the said account, Pravesh Kumar has deposited a sum of Rs.501/-, as well as, Rs.10,000/- through Google Pay. Thereafter, statements of witnesses under Section 180 of the BNSS were recorded.

7.2 In the further investigation, it has been found that applicant Ravi Singh is in judicial custody in Central Jail, Ambala, in connection with FIR No. 12 of 2025, dated 24.1.2025, under Sections 319(2) of BNS and Sections 66(c), 67(D) of IT Act. As such, production warrants were obtained and he was produced before the Court, at Mandi. His custody was transferred in this case and on 7.5.2025, he was remanded to Police custody.

7.3 During investigation, he has disclosed that one day, he had seen the photograph of S.P.Mandi and developed an idea to create the fake face book ID. Consequently, he has created the face book ID, in the name of S.P. Mandi and started using face book app with the said ID. Thereafter, on the said fake face book ID, he posted the picture of an ailing child, and also put the request to admit him in the hospital.

7.4 The applicant, through the aforesaid ID, sent messages to various persons, describing that the said child is in dire need of treatment, as he is suffering from Liver Cancer and his father is no more, upon which, people had started donating Rs.100, Rs.50, Rs.200 and Rs. 300/-, respectively. One person from Mandi is stated to have donated an amount of Rs. 10,501/-.

7.5 The applicant is stated to have created the aforesaid ID from his mobile phone number 91299-89924. He has withdrawn the donated amount and spent the same for purchasing charas.

7.6 It was found during investigation that the applicant was arrested by Chandigarh Police, as he has also created fake face book ID of S.P.Chandigarh. When, he was released, he was arrested by Panchkula Police, as he has also created fake face book ID of S.P.Panchkula. Thereafter, the applicant was arrested, in the present case, and he was produced before the Court.

7.7 During investigation, it has been found that the applicant has created fake face book account with the profile of Superintendent of Police, Mandi and forwarded friend requests to people. Not only this, he is stated to have posted misleading posts, in order to demand money. As per the Consumer Application form, the

aforesaid mobile number was found to have been issued in the name of applicant. The applicant is stated to be in judicial custody, w.e.f. 7.5.2025.

7.8 After investigation of the case, the Police has filed charge-sheet, before the learned CJM, Mandi, and the case is now stated to be listed for evidence, on 2.2.2026 and 3.2.2026. It has further been submitted that till date, three PWs have been examined, in the present matter.

7.9 On the basis of above facts, a prayer has been made to dismiss the application.

8. Considering the fact that investigation, in the present case, is complete and the case is now listed for PWs, on 2.2.2026 and 3.2.2026, and till date, three PWs have been examined, it can be concluded that conclusion of trial against the applicant will take sufficient long time. As such, no useful purpose would be served by keeping the applicant in judicial custody, that too, for indefinite period.

9. Pre-trial punishment is prohibited, under the law, as the accused is presumed to be innocent, until proven guilty.

10. Moreover, for the apprehensions that the applicant is resident of Uttar Pradesh, and, in case he is ordered to be released on bail, he may not be available during trial, reasonable conditions can be imposed upon the applicant.

11. Considering all these facts, this Court is of the view that the bail application is liable to be allowed and is accordingly allowed.

12. Consequently, the applicant is ordered to be released on bail, during the pendency of trial, arising out of Case FIR No. 35 of 2025, dated 9.2.2025, registered under Sections 319(2), 318(4) and 238 of BNS and Sections 66(C) and 66(D) of the IT Act, registered with Police Station, Sadar Mandi, H.P. on his furnishing personal bond in the sum of Rs. 1,00,000/-, with two sureties, in the like amount, to the satisfaction of the learned trial Court.

13. This order, however, shall be subject to the following conditions:-

a) Applicant shall regularly attend the trial Court on each and every date of hearing and if prevented by any reason to do so, seek exemption from appearance by filing the appropriate application;

b) Applicant shall not tamper with the prosecution evidence nor hamper the investigation of the case, in any manner, whatsoever;

c) Applicant shall not make any inducement, threat or promises to any person acquainted with the facts of the case so as to dissuade them from disclosing such facts to the Court or the Police Officer, and

d) Applicant shall not leave the territory of India without the prior permission of the Court.

14. Any of the observations, made herein above, shall not be taken, as an expression of opinion, on the merits of the case, as these observations are confined, only to the disposal of the present bail application.

15. It is made clear that the respondent-State is at liberty to move an appropriate application, in case, any of the bail conditions is found violated by the applicant.

16. The Registry is directed to forward a soft copy of the bail order to the Superintendent of District Jail, Mandi, with a direction to enter the date of grant of bail in the e-prison software.

17. In case, the applicant is not released within a period of seven days from the date of grant of bail, the Superintendent of District Jail, Mandi is directed to inform this fact to the Secretary, DLSA, Mandi. The Superintendent of District Jail, Mandi is further directed that if the applicant fails to furnish the bail bonds, as per the order passed by this Court within a period of one month from today, then, the said fact be submitted to this Court.