

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH.

Date of Decision: December 12, 2016

1. CRM M-36660 of 2016

Gagandeep Singh

.....Petitioner

Vs.

State of Punjab

.....Respondent

2. CRM M-36934 of 2016

Sat Parkash @ Sunny Chadha

.....Petitioner

Vs.

State of Punjab

.....Respondent

3. CRM M-37601 of 2016

Jasbir Singh

.....Petitioner

Vs.

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE M.M.S. BEDI.

-.-

Present:- Mr. Rahul Bhargava, Advocate for the petitioner in CRM M-36660 of 2016.

Mr. D.S. Sandhu, Advocate for the petitioner in CRM M-36934 of 2016.

Mr.M.S. Kang, Advocate for the petitioner in CRM M-37601 of 2016.

Ms.Simsi Dhir Malhotra, DAG, Punjab.

-.-

M.M.S. BEDI, J.

This order will dispose of three petitions bearing CRM M-36660, M-36934 and M-37601 of 2016 for grant of regular bail. The FIR was registered on the basis of receipt of secret information to the effect that an international gang has been operating in different parts of the State headed by Baljit Singh @ Laddi who has returned from America and has been committing fraud along with his relatives and friends and in pursuance of the same, Gagandeep Singh, petitioner along with Vijay Grover and Amritpal Singh, used to work with him and Baljit Singh in connivance with each other hacked the credit cards/ debit card information and collecting BIT coins through ICICI account of his father. Petitioners Gagandeep Singh and Jasbir Singh are friends. Amritpal Singh and others in connivance with each other purchased the hacked information of Credit Cards/ Debit Cards from America, India and other countries in order to buy BIT coins. Baljit Singh received the payment of Credit Card/ Debit Card through website of Western Union and transferred the payment to different parts in Punjab. Petitioner Gagandeep Singh used to receive the payment after preparing forged ID

from Western Union on the basis of hacked Credit Cards/ Debit Cards. Jasbir Singh allegedly used to prepare forged and fake ID cards to receive the payment from the Western Union on the basis of hacked information of Credit Card/ Debit Cards furnished by main accused Baljit Singh.

So far as petitioner Sat Parkash @ Sunny Chadha is concerned, he is a proprietor of N.M. Jewelers and used to set up fake customers using fake ID and used to make transactions of gold which infact was never sold to any person. He has been involved on the basis of disclosure statement of co-accused Amritpal Singh.

Challan has already been presented. No doubt, the petitioners appear to be beneficiaries of the fraudulent act of Baljit Singh, the main accused, who had been instrumental in hacking the information of Credit/ Debit Cards from America, India and other countries. The petitioners seem to have connived with the main accused in order to get benefit of the fraudulent transactions. No doubt, the allegations against the petitioners are serious and they are charged with economic offence of huge magnitude and also in case the allegations are established, it will entail serious consequences but at the same time the Court cannot loose sight of the fact that the investigating agency has already completed the investigation; main accused has already been arrested; charge-sheet has already been filed before the trial Court; and the presence of the petitioners in custody may not be necessary for further investigation. In said circumstances, the petitioners can be granted the concession of bail.

While forming the aforesaid opinion, I draw support from the observations of the judgment in **Sanjay Chandra Vs. CBI**, 2011 (4) RCR (Crl.) 898, wherein the accused in economic offence had been granted concession of bail.

In view of the above, all the three petitions are allowed. It is ordered that all the three petitioners will be released on bail on their furnishing bail bonds/ surety bonds to the satisfaction of the trial Court subject to the following conditions:-

- i) that the petitioners shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him to disclose such facts to the Court or to any other authority.
- ii) They shall remain present before the Court on the dates fixed for hearing of the case and will not absent themselves without any sufficient cause without the permission of the Court.
- iii) They shall surrender their passport, if any, (if not already surrendered), and in case, they are not holder of the same, they shall swear an affidavit to that effect.

It will be open to the prosecution agency to approach this Court for cancellation of the bail in case of violation of any of the conditions.

December 12, 2016
sanjay

(M.M.S.BEDI)
JUDGE

Whether speaking/ reasoned:	Yes/ No.
Whether Reportable:	Yes/No.