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\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **BAIL APPLN. 2147/2016**

**ILENE RACHEL**

..... Petitioner

Through: Ms. Disha Singh, Mr. S.K. Pabbi &  
Mr.Surinder Singh, Advocates.

versus

**STATE**

..... Respondent

Through: Ms. Radhika Kolluru, APP for the  
State.  
Mr. Sagan Saxena, Advocate for the  
complainant.

**CORAM:**  
**HON'BLE MR. JUSTICE VIPIN SANGHI**

**ORDER**  
**10.11.2016**

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The petitioner has preferred the present bail application under Section 438 Cr.P.C. to seek anticipatory bail apprehending arrest in case FIR No.435/2016 under Section 420/ 34 IPC registered at PS – Bindapur.

The allegation against the petitioner is that the petitioner and the complainant were neighbours. The applicant took money from the complainant on the pretext of providing a job to his wife. The applicant induced the complainant that she could arrange for a job for him in South Africa/ Australia and on the pretext of providing job in Australia, she took

Rs.38 Lakhs in cash on different occasions between 2012 – 2016 from the complainant. The complainant has alleged that confirmation regarding receipt of money used to come from email account of Gaurav Wahi. The communications used to come from one company Cyber Scribe regarding processing of application of the complainant for his job in Australia. Since the complainant discovered fraud, he made a complaint.

Ms. Kolluru submits that Cyber Scribe company exists in Australia. The investigation has shown that the petitioner has fabricated the domain name in India.

The complainant is also represented through counsel, who submits that it has now come out that it was the petitioner who had created identity such as Gaurav Wahi and others. Investigation has also found that the applicant has provided a false mobile phone number as that of Gaurav Wahi. The mobile phone number 9560514669 was not registered in the name of Gaurav Wahi and never used by any such person but was obtained in the name of the complainant, and that too, by forging the signatures of his deceased father. The said mobile phone number was used for two days only.

In these circumstances, in my view, the learned Special Judge was justified in rejecting the anticipatory bail application of the petitioner. It is clear that her custodial interrogation may be necessary to unearth the entire fraud.

The application is, accordingly, dismissed.

**VIPIN SANGHI, J**

**NOVEMBER 10, 2016**

*B.S. Rohella*