

\$~67

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **BAIL APPLN. 1290/2018 & CRL.M.A. 10768/2018**

VIRENDER KUMAR Petitioner
Through: Mr. Viraj Jha, Adv.

versus

STATE OF GNCTD & ORS Respondent
Through: Mr. Hirein Sharma, APP for State
with SI Kuldeep, PS Swaroop Nagar.
Mr. Naveen Sharma, Adv. for R-3&4

CORAM:
HON'BLE MS. JUSTICE ANU MALHOTRA

ORDER
% **31.05.2018**

Submissions have been made on the application filed by the applicant seeking grant of interim bail on behalf of either side.

It has been submitted on behalf of the applicant that the applicant has joined the investigation repeatedly and that the FIR has been lodged with delay and that even articles from his house have been taken away forcibly. It has been submitted on behalf of the applicant that arbitration proceedings are in progress between the respondent nos. 3 & 4 i.e. the Bank and the petitioner and no useful purpose would be served by any incarceration of the applicant and that the applicant would be willing to join the investigation.

On behalf of the State and on behalf of the respondent nos. 3 & 4 the prayer made by the petitioner is opposed submitting *inter alia* to the effect that the applicant who has been issued a credit card bearing

no.0005239504502193157 with a credit limit of Rs.35,000/- in the month of April, 2017 upto 22.06.2017 by RBL Bank Ltd., has misused the information and technology and hacked the system of the bank and enhanced the credit limit upto Rs.62,91,437/- and thereafter made several transactions which inter alia resulted into purchase of ACs and three Cars also. It has been submitted on behalf of the respondent nos. 3 & 4 that the applicant has also altered the magnetic chip of the credit card and tampered with the same to prevent the investigation in the matter. It has also been submitted on behalf of the State that taking into account the factum that the applicant had hacked the system of the bank and had also tampered with the credit card and availed the public money and that he is required for custodial interrogation.

On a consideration of rival submissions, taking into account the allegations levelled against the applicant of having misused the public money by misutilization of the credit card by allegedly tampering with the same, there is no ground for anticipatory bail.

The application is rejected.

ANU MALHOTRA, J

MAY 31, 2018/vm