

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM M-19572 of 2020 (O&M)

Date of Decision: September 24, 2020

Arshad

.....Petitioner

Versus

State of U.T. Chandigarh

.... Respondent

CORAM : HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present : Mr. Jaideep Verma, Advocate
for the petitioner.

Mr. Gagandeep Singh Wasu, Addl. P.P.,
for the respondent-State.

Mr. Himanshu Chhabra, Advocate
for the complainant.

FATEH DEEP SINGH, J. (Oral)

The matter has been taken up through video-conferencing on account of outbreak of pandemic COVID-19.

Petitioner Arshad who is in custody has come up before this Court in this second regular bail application moved under Section 439 Cr.P.C. in FIR No. 306 dated 28.09.2019 registered under Sections 419, 420 and 120-B of IPC at

Police Station Sector-17, Chandigarh, U.T.

The present case was got registered on the complaint of Sunil Rajta. The complainant claims that he is holder of credit card issued by the State Bank of India. On the day of occurrence, i.e. 28.09.2019 the complainant received a telephonic call impersonating to be an official of the bank and on the pretext of upgrading credit card sought its details including OTP. The innocent complainant provided the same and, thereafter, the complainant came to know that a fraud of Rs.4 lacs has been committed from his account. It is during the investigations it transpired that the petitioner alongwith his co-accused are running a pan-India gang of frauds cheating the people and another case titled as **Harshad Chaudhary @ Akash Chaudhary Vs. The State of Maharashtra at the instance of B.D. Marg Police Station CR No. 94 of 2019** has been registered against him at Mumbai.

Mr. Jaideep Verma learned counsel for the petitioner has laid much stress on the fact that since the complainant and the petitioner had settled their dispute in support of which he has claimed the duly sworn affidavit of the complainant on the records. The counsel has further submitted that the petitioner is behind the bars for almost 01 year and that the trial is not likely to be completed in near future.

Mr. Gagandeep Singh Wasu, Addl. P.P., for the respondent-State assisted by Mr. Himanshu Chhabra, Advocate

for the complainant has strongly opposed the prayer claiming that the petitioner is already facing similar charges in case at Mumbai and that the gang being run by the petitioner is likely to cause similar offence with general public and thereby causing irreparable harm to the society and that co-accused Bajaj is yet to be arrested.

Admittedly, petitioner is facing similar charges in a case got registered against him and others at Mumbai. The manner of this crime is suggestive of how these people are eroding the very credibility of banking system and ordinary man on the street is tending to lose faith in such mode of transactions. Since the petitioner is having similar charges at Mumbai and in view of pan-India gang at work looting people of their hard earned money and the apprehension of the State they will commit more crimes and even might abscond are not unfounded.

In view of the seriousness of the allegations and the apprehension of the State this Court is not inclining to allow the bail. The same as such stands dismissed.

September 24, 2020
amit rana

(FATEH DEEP SINGH)
JUDGE

Whether reasoned/speaking : Yes/No

Whether reportable : Yes/No